5

A TRVE AND PERFECT RELATION OF THE WHOLE

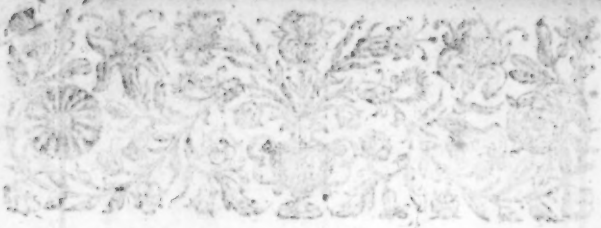
proceedings againſt the late moſt barbarous Traitors, *Garnet* a Ieſuite, and his Confederats:

Contayning ſundry Speeches deliuered by the Lords Commiſsioners at their Arraignments *for the better ſatisfaction of thoſe that were hearers, as occaſion was offered;*

The Earle of Northamptons Speech hauing *bene enlarged vpon thoſe grounds which are ſet downe.*

And laſtly all that paſſed at Garnets Execution.

¶ Imprinted at London by *Robert Barker*, Printer to the Kings moſt Excellent Maieſtie. 1606.



TO THE READER.

TO *publiſh any thing of the late moſt barbarous and damnable Treaſon, and Conſpiracie, of* Blowing vp the Houſe of Parliament with Gunpowder, *may at the firſt apparance ſeeme both vnneceſſary, and vnprofitable. Firſt, for that Publique Juſtice paſſing, vpon the ſeuerall Confeſſions of all the capitall Offenders, (which they clearly & openly confeſſed, and confirmed at their ſeuerall Arraignments in the hearing of multitudes of people) doeth of it ſelfe import and giue the greateſt ſatisfaction that can be to all men, eſpecially in that after Judgement giuen, due and timely Execution hath ſucceeded. For as Law is the foun-*

dation of Iuſtice, ſo the ſame Iuſtice duly executed, is the foundation of all Cõmon wealthes, and the golden Metewand, appointed by the Almighty for the meaſuring, and the decyding of all cauſes Ciuill or Criminall. Secondly, for that theſe Treaſons are now ſo perſpicuous, & euident to the view of all men, as that none can pretend any iuſt ignorãce of the ſame: Yet it is neceſſary, and wil be very profitable to pũbliſh ſomewhat concerning the ſame, Aſwell for that there do paſſe from hand to hand diuers vncertaine, vntrue, and incoherent reports, and relations of ſuch Euidence, as was publiquely giuen vpon the ſaid ſeuerall Arraignments; As alſo for that it is neceſſary for men to vnderſtand the birth & growth of the ſaid abominable and deteſtable Conſpiracy, and who were the principal Authors and Actors in the ſame.

¶A Relation of the former Arraignment on Munday the 27. of Ianuary ANNO 1605. in *Weſtminſter Hall, before the L l. Commiſſioners there.*

The Earle of Nottingham.
The Earle of Suffolke.
The Earle of Worceſter.
The Earle of Deuonſhire.
The Earle of Northampton.
The Earle of Salisbury.
The L. chiefe Iuſtice of England.
The L. chiefe Baron of the Exchequer.
Sir *Peter Warburton* knight, one of the Iuſtices of the Court of Common plees.

Vpon one Inditemẽt for Treasons done in the County of Middlesex were Arraigned these, viz.

1 *Robert Winter* Esquier.
2 *Thomas Winter* Gentleman.
3 *Guy Fawks* Gentleman.
4 *John Grant* Esquier.
5 *Ambr. Rookwood* Esquier.
6 *Robert Keyes* Gentleman.
7 *Thomas Bates.*

Vpon an other Inditement for Treason done in the Countie of Northampton, was arraigned

Sir *Everard Digby* Knight.

¶ The

The Briefe of the matters whereupon *Robert Winter* Esquier, *Thomas Winter* Gentleman, *Guy Fawkes* Gentleman, *Iohn Grauue* Esquier, *Ambrose Rookwood* Esquier, *Robert Keyes* Gentleman, *Thomas Bates* were Indicted, and whereupon they were Arraigned.

The effect of the Inditement after the Legal forme of the Common Law of England.

THat whereas our Soueraigne Lord the King had by the aduise and assent of his Councell, for diuers weightie and vrgent occasions concerning his Maiestie, the State, & defence of the Church and Kingdome of ENGLAND, appointed a Parliament to bee holden at his Citie of *Westminster*, That *Henry Garnet* superiour of the Iesuites within the Realme of England, (called also by the seuerall names of *Wally*, *Darcy*, *Roberts*, *Farmer*, and *Henry Philips*,) *Oswald Tesmond* Iesuite, otherwise called *Oswald Greenwell*, *Iohn Gerrard* Iesuite, (called also

alſo by the ſeuerall names of *Lee* and *Brooke*) *Robert Winter*, *Thomas Winter* Gentlemen, *Guy Fawkes* Gentleman, otherwiſe called *Guy Iohnſon*, *Robert Keyes* Gentleman, and *Thomas Bates* yeoman, late ſeruant to *Robert Catesby* Eſquier, together with the ſaid *Robert Catesby* and *Thomas Percy* Eſquiers, *Iohn VVright* and *Chriſtopher Wright* Gentlemen, in open Rebellion and Inſurrection againſt his Maieſty lately ſlaine, and *Francis Treſham* Eſquier lately dead, as falſe Traitors againſt our ſaid Souereigne Lord the King, did traiterouſly meet and aſſemble themſelues together; and being ſo met, the ſayd *Henry Garnet*, *Oſwald Teſmond*, *Iohn Gerrard* and other Ieſuites did maliciouſly, falſly, and traiterouſly mooue and perſwade aſwell the ſayd *Thomas VVinter*, *Guy Fawkes*, *Robert Keyes*, and *Thomas Bates*, as the ſaid *Robert Catesby*, *Thomas Percy*, *Iohn VVright*, *Chriſtopher VVright*, and *Francis Treſham*, That our ſaid Souereigne Lord the King, the Nobilitie, Clergie, and whole Commmaltie of the Realme of England (Papiſts excepted) were heretiques; and that all heretiques were accurſed and Excommunicate, and that none

heretique

heretique could be a King, but that it was lawfull and meritorious to kill our ſaid Souereigne Lord the King, & all other Heretiques within this Realme of England, for the aduancing and enlargement of the pretended and vſurped Authoritie and Iuriſdiction of the Biſhop of *Rome*, and for the reſtoring of the ſuperſtitious Romiſh Religion within this Realme of England; To which traiterous perſwaſions, the ſaid *Thomas VVinter*, *Guy Fawkes*, *Robert Keyes*, *Thomas Bates*, *Robert Catesby*, *Tho. Percy*, *Iohn VVright*, *Chriſtopher VVright*, and *Francis Treſham* traiterouſly did yeeld their aſſents, And that thereupon the ſaid *Henry Garnet*, *Oſwald Teſmond*, *Iohn Gerrard*, and diuers other Ieſuits, *Tho. VVinter*, *Guy Fawkes*, *Robert Keyes*, and *Thomas Bates*, as alſo the ſaid *Robert Catesby*, *Thomas Percy*, *Iohn VVright*, *Chriſtopher VVright*, and *Francis Treſham*, traiterouſly amongſt themſelues did conclude and agree, with Gunpowder, as it were with one blaſt, ſuddenly, traiterouſly and barbarouſly to blow vp and teare in pieces our ſaid Souereigne Lord the King, the Excellent, vertuous, and gracious Queene ANNE his deereſt wife, the moſt

Noble Prince HENRY their eldeſt Sonne, the future Hope and Ioy of ENGLAND, and the Lords Spirituall and Temporall, the Reuerend Iudges of the Realme, the Knights, Citizens and Burgeſſes of Parliament, and diuers other faithfull Subiects and Seruants of the King in the ſaid Parliament for the cauſes aforeſayd, to bee aſſembled in the Houſe of Parliament, and all them without any reſpect of Maieſtie, Dignitie, Degree, Sexe, Age or Place, moſt barbarouſly, & more then beaſtly, traiterouſly and ſuddenly to deſtroy and ſwallow vp: And further did moſt traiterouſly conſpire and conclude among themſelues, That not onely the whole Royall iſſue male of our ſayd Souereigne Lord the King ſhould be deſtroyed and rooted out, but that the perſons aforeſaid, together with diuers other falſe Traitors traiterouſly with them to be aſſembled ſhould ſurpriſe the perſons of the Noble Ladies ELIZABETH & MARY, daughters of our ſayd Souereigne Lord the King, and falſly and traiterouſly ſhould proclaime the ſayd Lady ELIZABETH to be Queene of this Realme of England: And thereupon ſhould publiſh a certaine traiterous

rous Proclamation in the name of the ſayde Lady ELIZABETH, wherein as it was eſpecially agreed by and betweene the ſayde Conſpirators, That no mention ſhould be made at the firſt of the alteration of Religion eſtabliſhed within this Realme of England, Neither would the ſaid falſe Traitors therein acknowledge themſelues to bee Authors or Actors or Deuiſers of the foreſaid moſt wicked and horrible Treaſons, vntill they had got ſufficient power and ſtrength for the aſſured execution and accompliſhment of their ſaid Conſpiracie and Treaſon, and that then they would auow and iuſtifie the ſayd moſt wicked and horrible Treaſons, as Actions that were in the number of thoſe, *Quæ non laudantur niſi peracta*, which bee not to be commended before they bee done: But by the ſaid fained and traiterous Proclamation they would publiſh, That all and ſingular abuſes and grieuances within this Realme of England, ſhould for ſatisfying of the people be reformed: And that aſwell for the better concealing, as for the more effectuall accompliſhing of the ſayd horrible Treaſons, aſwell the ſayd *Thomas Winter*, *Guy Fawkes*, *Ro-*

bert Keyes and Thomas Bates, as the ſaid Robert Catesby, Thomas Percy, Iohn Wright, Chriſtopher Wright, and Francis Treſham, by the traiterous aduiſe and procurement of the ſaid Henry Garnet, Oſwald Teſmond, Iohn Gerrard, and other Ieſuites traiterouſly did further conclude and agree, that aſwell the ſaid Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, as the ſayd Robert Catesby, Tho. Percy, Iohn Wright, Chriſtopher Wright, and Francis Treſham thereupon ſeuerally and traiterouſly ſhould receiue ſeuerall corporall othes vpon the holy Euangeliſts, and the Sacrament of the Euchariſt, That they the treaſons aforeſaid would traiterouſly conceale and keepe ſecret, and would not reueale them directly nor indirectly by words nor circumſtances; nor euer would deſiſt from the execution and finall accompliſhment of the ſaid Treaſons, without the conſent of ſome three of the foreſaid falſe Traitors firſt in that behalfe traiterouſly had, And that thereupon aſwell the ſaid Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, as the ſayd Robert Catesby, Thomas Percy, Iohn Wright, Chriſtopher Wright, and Francis Treſham, did

traite-

traiterouſly take the ſaid ſeuerall corporall othes ſeuerally, and did receiue the Sacrament of the Euchariſt aforeſaid by the hands of the ſayd *Henry Garnet*, *Iohn Gerrard*, *Oſwald Teſmond*, and other Ieſuites. And further, that the ſayd *Tho. Winter*, *Guy Fawkes*, *Robert Keyes* and *Thomas Bates*, together with the ſaid *Robert Catesby*, *Thomas Percy*, *Iohn Wright*, *Chriſtopher Wright*, and *Francis Treſham*, by the like traiterous aduiſe and counſell of the ſaid *Henry Garnet*, *Iohn Gerrard*, *Oſwald Teſmond*, and other Ieſuites, for the more effectuall compaſsing and finall execution of the ſaid Treaſons, did traiterouſly amongſt themſelues conclude and agree, to digge a certaine Mine vnder the ſayd houſe of Parliament, and there ſecretly vnder the ſaid houſe to beſtow and place a great quantitie of Gunpowder, and that according to the ſaid traiterous concluſion, the ſaid *Thomas Winter*, *Guy Fawkes*, *Robert Keyes*, and *Thomas Bates*, together with the ſaid *Robert Catesby*, *Thomas Percy*, *Iohn Wright*, and *Chriſtopher Wright* afterwards ſecretly not without great labour and difficultie, did digge and make the ſaid Myne vnto the middeſt of

the foundation of the wall of the ſaid houſe of Parliament, the ſaid foundation being of the thickneſſe of three yards, with a traiterous intent to beſtow and place a great quantitie of Gunpowder in the Myne aforeſaid, ſo as aforeſaid traiterouſly to be made for the traiterous accompliſhing of their traiterous purpoſes aforeſaid; And that the ſaid *Thomas Winter*, *Guy Fawkes*, *Robert Keyes*, and *Thomas Bates*, together with the ſaid *Robert Catesby*, *Thomas Percy*, *John Wright*, and *Chriſtopher Wright*, finding and perceiuing the ſaid worke to be of great difficultie by reaſon of the hardneſſe and thickneſſe of the ſaid wall, and vnderſtanding a certaine Cellar vnder the ſaid houſe of Parliament, and adioyning to a certaine houſe of the ſayd *Thomas Percy*, then to be letten to farme for a yeerely Rent, the ſaid *Thomas Percy* by the traiterous procurement aſwell of the ſaid *Henry Garnet*, *Oſwald Tesmond*, *John Gerrard* and other Iefuits, *Thomas Winter*, *Guy Fawkes*, *Robert Keyes*, and *Thomas Bates*, as of the ſaid *Robert Catesby*, *John Wright* & *Chriſtopher Wright*, traiterouſly did hire the Cellar aforeſaid for a certaine yeerely Rent and terme; And then

thoſe

thoſe Traitors did remoue twenty barrels full of gunpowder out of the ſaid houſe of the ſaid *Thomas Percy*, and ſecretly and traiterouſly did beſtow and place them in the Cellar aforeſaid vnder the ſaid Houſe of Parliament, for the traiterous effecting of the Treaſon, and traiterous purpoſes aforeſaid. And that afterwards the ſaid *Henry Garnet*, *Oſwald Teſmond*, *Iohn Gerrard*, and other Ieſuits, *Thomas VVinter*, *Guy Fawkes*, *Robert Keyes* and *Thomas Bates*, together with the ſaid *Robert Catesby*, *Thomas Percy*, *Iohn VVright* and *Chriſtopher VVright*, traiterouſly did meete with *Robert VVinter*, *Iohn Grant*, and *Ambroſe Rookwood* and *Francis Treſham* Eſquiers, and traiterouſly did impart to the ſaid *Robert Winter*, *Iohn Grant*, and *Ambroſe Rookwood* and *Francis Treſham*, the Treaſons, traiterous intentions and purpoſes aforeſaid, And did require the ſaid *Rob. Winter*, *Iohn Grant*, *Ambroſe Rookwood* & *Francis Treſham*, to ioyne themſelues aſwel with the ſaid *Henry Garnet*, *Oſwald Teſmond*, *Iohn Gerrard*, *Tho. Winter*, *Guy Fawkes*, *Robert Keyes* and *Tho Bates*, as with the ſaid *Rob. Catesby*, *Thomas Percy*, *Iohn Wright* and *Chriſtopher Wright*, and in the

Treaſons,

Treasons, traiterous intentions, and purposes aforesaid, and traiterously to prouide horse, armour, and other necessaries, for the better accomplishment and effecting of the saide Treasons; To which traiterous motion and request, the said *Robert Winter*, *Iohn Grant*, *Ambrose Rookwood* and *Francis Tresham*, did traiterously yeeld their Assents, And aswell with the said *Henry Garnet*, *Oswald Tesmond*, *Iohn Gerrard*, *Robert Winter*, *Thomas Winter*, *Guy Fawkes*, *Rob. Keyes*, and *Thomas Bates*, as with the said *Robert Catesby*, *Tho. Percy*, *Iohn Wright*, *Christopher Wright*, and *Francis Tresham*, in the said Treasons, traiterous intentions and purposes aforesaid, traiterously did adhere and vnite themselues, And thereupon seuerall corporall othes in forme aboue-said Traiterously did take, and the Sacrament of the Eucharist by the hands of the said Iesuites did receiue, to such intent and purpose as is aforesaid, And horses, armour, and other necessaries, for the better effecting of the said Treasons, according to their traiterous assents aforesaid traiterously did prouide; And that afterwards all the said false Traitors did traiterously prouide and bring into the Cellar afore-

foreſaid, ten other barrels full of Gunpowder newly bought, fearing leaſt the former Gunpowder ſo as aforeſaid beſtowed and placed there, was become dankiſh, and the ſaid ſeuerall quantities of Gunpowder aforeſaid, with Billets and Fagots, leaſt they ſhould bee ſpied, ſecretly & traiterouſly did couer; And that afterwards the ſaid falſe Traitors traiterouſly prouided and brought into the Cellar aforeſaid, foure Hoggeſheads full of Gunpowder, and layed diuers great yron Barres and ſtones vpon the ſaide foure Hoggeſheads, and the foreſaid other quantities of Gunpowder; And the ſaide quantities of Gunpowder, Barres and ſtones, with Billets and Fagots, leſt they ſhould be eſpied, ſecretly and traiterouſly did likewiſe couer; And that the ſaid *Guy Fawks* afterwards for a full and finall accompliſhment of the ſaid Treaſons, traiterous intentions and purpoſes aforeſaid, by the traiterous procurement aſwell of the ſaid *Henry Garnet*, *Oſwald Teſmond*, *Iohn Gerrard*, and other Ieſuits, *Robert VVinter*, *Thomas VVinter*, *Robert Keyes*, *Thomas Bates*, *Iohn Grant*, and *Ambroſe Rookwood*, as of the ſayd *Robert Catesby*, *Thomas Percy*,

John Wright, *Christopher Wright*, and *Francis Tresham*, traiterously had prepared, and had vpon his person Touchwood and match, therewith traiterously to giue fire to the seuerall Barrels, Hoggesheads and quantities of Gunpowder aforesayd, at the time appointed for the execution of the sayd horrible Treasons: And further, that after the said horrible Treasons were by the great fauour and mercie of God in a wonderfull maner discouered, not many houres before it should haue bene executed, Aswell the said *Henry Garnet*, *Oswald Tesmond*, *John Gerrard*, *Robert Winter*, *Thomas Wintor*, *Robert Keyes*, *Thomas Bates*, *John Grant*, and *Ambrose Rookwood*, as the said *Robert Catesby*, *Thomas Percey*, *John Wright*, and *Christopher Wright*, Traiterously did flie and withdraw themselues to the intent Traiterously to stirre vp, and procure such Popish persons as they could, to ioyne with them in actuall, publique and open Rebellion, against our said Soueraigne Lord the King, and to that ende did publish diuers fained & false rumours, that the Papists throates should haue beene cut: And that thereupon diuers Papists were in Armes, and in open

publique

publique and Actuall Rebellion, against our sayde Souereigne Lord the King, in diuers parts of this Realme of England.

To this Inditement they all pleaded; Not guiltie; and put themselues vpon God and the Countrey.

¶ Then did Sir *Edward Philips knight, his Maiesties Sergeant at Law open the Inditement to this effect as followeth.*

THe matter that is now to be offered to you my Ll. the Commissioners, and to the Triall of you the Knights & Gent. of the Iury, is matter of Treason; but of such horror, and monstrous nature, that before now,

The Tongue of man neuer deliuered.
The Eare of man neuer heard.
The Heart of man neuer conceited,
Nor the malice of hellish or earthly deuill euer practised.

For, if it be abhominable to murder the least; If to touch Gods Anointed bee to oppose themselues against God;

If (by blood) to subuert Princes, States, and Kingdomes, be hatefull to God and man, as all true Christians must acknowledge;

Then, how much more then too too monstrous shall all Christian hearts iudge the horror of this Treason, to murder and subuert

Such a King,
Such a Queene,
Such a Prince,
Such a Progenie,
Such a State,
Such a Gouernment,
So complete, and absolute;

I

That God approoues:
The world admires:
All true English hearts honour and reuerence:
The Pope and his disciples onely enuies, and maligues?

¶ *The proceeding wherein is properly to be diuided into three generall heads:*

1. First, matter of Declaration.
2. Secondly, matter of Aggrauation.
3. Thirdly, matter of Probation.

My ſelfe am limitted to deale onely with the matter of Declaration, and that is conteined within the compaſſe of the Indictment onely.

For the other two, I am to leaue to him to whoſe place it belongeth.

¶ *The ſubſtance of which Declaration conſiſteth in foure parts:*

1. Firſt, in the perſons and qualities of the Conſpirators.
2. Secondly, in the matter conſpired.
3. Thirdly, in the meane and manner of the proceeding and execution of the Conſpiracie.
4. And fourthly, of the end and purpoſe why it was ſo conſpired.

¶ *As concerning the firſt, being the perſons:*

They were { *Garnet*, *Gerrard*, *Teſmond*, } Ieſuits not then taken.

Thomas Winter,
Guy Fawkes,
Robert Keyes,
Thomas Bates,
Euerard Digby,
Ambrose Rookewood,
Iohn Graunt,
Robert Winter,
} At the Barre.

Robert Catesby,
Thomas Percy,
Iohn Wright,
Christopher Wright,
} Slaine in Rebellion.

Francis Tresham, } Lately dead.

All grounded Romanists and corrupted Schollers of so Irreligious and Traiterous a Schoole.

¶ *As concerning the second, which is the matter conspired, it was,*

1. First, to deprive the KING of his Crowne.
2. Secondly, to murder the KING, the Queene, and the Prince.
3. Thirdly, to stirre Rebellion and Sedition in the Kingdome.

4. Fourthly, to bring a miſerable deſtruction amongſt the Subiects.
5. Fiftly, to change, alter, and ſubuert the Religion here eſtabliſhed.
6. Sixtly, to ruinate the State of the Common-wealth, and to bring in Strangers to inuade it.

¶ *As concerning the third, which is the meane and maner how to compaſſe and execute the ſame:*

They did all conclude,

1. Firſt, that the King, and his people (the Papiſts excepted) were Heretiques.
2. Secondly, that they were all curſed, and Excommunicate by the Pope.
3. Thirdly, that no Heretique could be King.
4. Fourthly, that it was lawfull and meritorious to kill and deſtroy the King, and all the ſaid Heretiques.

¶ *The meane to effect it, they concluded to be,* That

1. The King, the Queene, the Prince, the Lords Spirituall and Temporall, the Knights.

Knights & Burgeſſes of the Parliament ſhould be blowen vp with powder.

2. That the whole Royall Iſſue male ſhould be deſtroyed.

3. That they would take into their cuſtodie ELIZABETH and MARY the Kings daughters, and proclaime the Lady ELIZABETH Queene.

4. That they ſhould faine a Proclamation in the name of ELIZABETH, in which no mention ſhould be made of alteration of Religion, nor that they were parties to the Treaſon, vntill they had raiſed power to performe the ſame, and then to proclaime, All grieuances in the Kingdome ſhould be reformed.

That they alſo tooke ſeuerall oathes, and receiued the Sacrament, Firſt for ſecrecie, Secondly for proſecution, except they were diſcharged thereof by three of them.

That after the deſtruction of the King, the Queene, the Prince, the Royall iſſue male; The Lords Spirituall and Temporal, the Knights and Burgeſſes; They ſhould notifie the ſame to forraine States,

States, and thereupon Sir *Edmund Baynam* an attainted perſon of Treaſon, and ſtiling himſelfe prime of the damned Crew, ſhould be ſent and make the ſame knowen to the Pope, and craue his aide; An Embaſſadour fit both for the meſſage and perſons, to be ſent betwixt the Pope and the deuill.

That the Parliament being proroged till the 7. of February, They in December made a Mine vnder the houſe of Parliament, purpoſing to place their powder there: but the Parliament being then further adiourned till the third of October, They in Lent following hired the vault, and placed therein xx. barrels of powder.

That they tooke to them *Robert Winter*, *Graunt*, and *Rookwood*, giuing them the oathes and Sacrament as aforeſaid, as to prouide munition.

20. Iulij they layd in more ten Barrels of powder, laying vpon them diuers great Barres of yron, & peeces of timber, and great maſsie ſtones, and couered the ſame with fagots, &c.

20. September. they laid in more 4. Hogſheads of powder with other ſtones and barres of yron thereupon.

4. Nouembris (the Parliament beeing proroged to the 5.) at eleuen a clocke at night, *Fawkes* had prepared (by the procurement of the reſt) Touchwood and match, to giue fire to the powder the next day.

That the Treaſon being miraculouſly diſcouered, they put themſelues, and procured others to enter into open Rebellion; And gaue out moſt vntruely, It was for that the Papiſts throats were to be cut.

The

The effect of that which Sir *Edward Coke Knight, his Maieſties Atturney Generall, ſaid at the former Arraignement, ſo neere to his owne words as it could be taken.*

IT appeareth to your Lordſhips, and the reſt of this moſt Honourable and graue Aſſembly, euen by that which M. Sergeant hath already opened, that theſe are the greateſt Treaſons that euer were plotted in England, and concerne the greateſt King that euer was of England. But when this Aſſembly ſhall further heare, and ſee diſcouered the Rootes & Branches of the ſame, not hitherto publiſhed, they will ſay indeed: *Quis hæc poſteris ſic narrare poterit, vt facta non ficta eſſe videantur?* That when theſe things ſhall be related to poſteritie, they will bee reputed matters fained, not done. And therefore in this ſo great a cauſe, vpon the carriage and euent whereof the eye of all Chriſtendome is at this day bent, I ſhall deſire that I may with your patience bee ſome-

what more copious, and not ſo ſuccinct, as my vſuall maner hath beene, and yet will I bee no longer then the very matter it ſelfe ſhall neceſſarily require. But before I enter into the particular Narration of this cauſe, I hold it fit to giue ſatisfaction to ſome, and thoſe well affected amongſt vs, who haue not only marueiled, but grieued, that no ſpeedier expedition hath beene vſed in theſe proceedings, conſidering the monſtrouſneſſe and continuall horrour of this ſo deſperate a cauſe.

1 It is *Ordo Naturæ*, agreeable to the order of Nature, that things of great waight and magnitude ſhould ſlowly proceed, according to that of the Poet, *Tarda ſolet magnis rebus adeſſe fides.* And ſurely of theſe things we may truely ſay, *Nunquam ante dies noſtros talia acciderunt*, Neither hath the eye of man ſeene, nor the eare of man heard the like things to theſe.

2 *Veritas temporis filia*, Trueth is the daughter of time, eſpecially in this caſe wherein by timely and often Examinations, Firſt, matters of greateſt moment haue beene lately found out. Secondly, ſome knowen Offenders and thoſe capitall, but lately apprehended,

ded. Thirdly, ſundry of the principall and Archtraitors before vnknowen now manifeſted, as the Ieſuits. Fourthly, Hereticall, Treaſonable & damnable Books lately found out, one of Equiuocation, and another *De officio Principis Chriſtiani*, of *Francis Treſhams*.

3 There haue been already twentie and three ſeuerall dayes ſpent in Examinations.

4 We ſhould otherwiſe haue hanged a man Vnattainted, for *Guy Fawkes* paſſed for a time vnder the name of *Iohn Iohnſon*: So that if by that name greater expedition had beene made, and he hanged, though wee had not miſſed of the man, yet the proceeding would not haue beene ſo orderly or iuſtifiable.

5 The King out of his wiſedome and great moderation, was pleaſed to appoint this Triall in time of aſſembly in Parliament, for that it concerned eſpecially thoſe of the Parliament.

Now touching the offences themſelues, they are ſo exorbitant and tranſcendent, and aggregated of ſo many bloody and fearefull crimes, as they cannot be aggrauated by any inference, argument or circumſtance whatſoeuer, and that in three reſpects: Firſt, becauſe

this offence is *Primæ impreſſionis*, and therfore *ſine Nomine*, without any name which might bee *adæquatum* ſufficient to expreſſe it, giuen by any Legiſt, that euer made or writ of any Lawes. For the higheſt Treaſon that all they could imagine, they called it onely *Crimen læſæ Maieſtatis*, the violating of the Maieſty of the Prince. But this Treaſon doeth want an apt name, as tending not onely to the hurt, but to the death of the King, and not the death of King onely, but of his whole Kingdome, *Non Regis ſed Regni*, that is to the deſtruction and diſſolution of the frame and Fabrique of this ancient, famous, and euer flouriſhing Monarchie, euen the deletion of our whole name and Nation, *And therefore hold not thy tongue O God, keepe not ſtill ſilence, refraine not thy ſelfe O God, for loe thine enemies make a murmuring, and they that hate thee haue lift vp their heads, They haue ſaid come, and let vs roote them out, that they bee no more a people, and that the Name of Iſrael may be no more in remembrance.* Secondly, it is, *Sine exemplo*, beyond all examples, whether in fact or fiction, euen of the tragique Poets, who did beate their wits to repreſent the moſt fearefull and horrible

Pſal. 83. 1, 2, 3, 4, 5.

horrible murthers. Thirdly, it is *Sine modo*, without all meaſure or ſtint of iniquitie, like a Mathematicall line, which is *Diuiſibilis in ſemper diuiſibilia*, infinitely diuiſible: It is Treaſon to imagine or intend the death of the King, Queene, or Prince.

For Treaſon is like a tree whoſe roote is full of poyſon, and lyeth ſecret and hid within the earth, reſembling the imagination of the heart of man, which is ſo ſecret as God onely knoweth it. Now the wiſedome of the Lawe prouideth for the blaſting and nipping, both of the leaues, bloſſomes, and buddes which proceede from this roote of Treaſon, either by words which are like to leaues, or by ſome ouert Act, which may bee reſembled to buds or bloſſomes, before it commeth to ſuch fruit and ripeneſſe, as would bring vtter deſtruction and deſolation vpon the whole State.

It is likewiſe Treaſon to kill the L. Chauncellour, L. Treaſorer, or any Iuſtice of the one Bench or other, Iuſtices of Aſsiſe, or any other Iudge mentioned in the Statute of 25. *Edw.* 3. ſitting in their iudiciall places, and exerciſing their Offices. And the reaſon is, for that euery Iudge ſo ſitting by the Kings au-

thoritie,

thoritie, repreſenteth the Maieſtie and perſon of the King, and therefore it is *Crimen læſæ Maieſtatis*, to kill him, the King being alwayes in Iudgement of Lawe preſent in Court. But in the high Court of Parliament, euery man by vertue of the Kings authoritie by Writ vnder the great Seale, hath a Iudiciall place, and ſo conſequently the killing of euery of them had beene a ſeuerall Treaſon, and *Crimen læſæ Maieſtatis*. Beſides, that to their Treaſons were added open Rebellion, Burglarie, Robberie, Horſe-ſtealing, &c. So that this offence is ſuch, as no man can expreſſe it, no example patterne it, no meaſure conteine it.

Concerning Forreine Princes, there was here a proteſtation made for the cleering of them, from all imputation or Aſperſion whatſoeuer. Firſt, for that whileſt Kingdomes ſtood in hoſtilitie, hoſtile actions are holden honourable and iuſt. Secondly, it is not the Kings Serieant, Attorney, or Sollicitor, that in any ſort touch or mention them, For wee know that great Princes and Perſonages, are reuerently and reſpectiuely to be ſpoken of, and that there is *Lex in ſermone tenenda*. But

it

it is *Faux, VVinter*, and the reſt of the Offenders, that haue confeſſed ſo much as hath bin ſayd, And therefore the Kings Councill learned doth but repeate the Offenders Confeſſion, and charge or touch no other perſon. They haue alſo ſlaundered vniuſtly our great Maſter King IAMES, which we only repeate to ſhew the wickedneſſe and malice of the Offenders. Thirdly, So much as is ſaide concerning forreine Princes, is ſo wouen into the matter of the charge of theſe Offendors, as it cannot bee ſeuered, or ſingled from the reſt of the matter, So as it is ineuitable, and cannot be pretermitted.

Now as this powder Treaſon is in it ſelfe prodigious and vnnaturall, ſo is it in the Conception and Birth moſt monſtrous, as ariſing out of the dead aſhes of former Treaſons. For it had three rootes, all planted & watered by Ieſuites, and Engliſh Romiſh Catholiques: The firſt roote in England in December and March, The ſecond in Flaunders in Iune, The third in Spaine in Iuly. In England it had two Branches, One in December was twelue moneths before the death of the late Queene

of bleſſed memorie, Another in March wherein ſhe dyed.

Firſt in December Anno Dom. 1601. doe *Henry Garnet* Superiour of the Ieſuits in England, *Robert Teſmond* Ieſuite, *Robert Catesby* who was (*homo ſubacto & verſuto ingenio & profunda perfidia*) together with *Francis Treſham* and others, in the names and for the behalfe of all the Engliſh Romiſh Catholikes, imploy *Thomas Winter* into Spaine, as for the generall good of the Romiſh Catholique cauſe, And by him doth *Garnet* write his letters to Father *Creſwell* Ieſuite reſiding in Spaine, in that behalfe. With *Thomas Winter* doth *Teſmond alias Greeneway* the Ieſuite goe as an Aſſociate and Confederate in that Conſpiracie. The meſſage (which was principally committed vnto the ſaid *Winter*) was, that he ſhould make a propoſition and requeſt to the king of Spaine in the behalfe and names of the Engliſh Catholiques, that the king would ſend an armie hither into England, and that the forces of the Catholiques in England ſhould be prepared to ioyne with him & doe him ſeruice. And further, that hee ſhould

moue the king of Spaine to beſtow ſome pen-ſions here in England, vpon ſundrie perſons Catholiques, and deuoted to his ſeruice; And moreouer to giue aduertiſement that the ſaid king of Spaine making vſe of the generall diſ-contentment that young Gentlemen & Soul-diers were in, might no doubt by relieuing their neceſsities haue them al at his deuotion.

And becauſe that in all attempts vpon Eng-land, the greateſt difficultie was euer found to be the tranſportation of Horſes; the Catholiks in England would aſſure the King of Spaine to haue alwayes in readineſſe for his vſe and ſeruice 1500. or 2000. Horſes againſt any oc-caſion or enterpriſe. Now *Thomas Winter*, vndertaking this Negociation, and with *Teſ-mond* the Ieſuite comming into Spaine, by meanes of Father *Creſwell* the Legier Ieſuite there, as hath beene ſaid, had readily ſpeech with *Don Pedro Franceſa* ſecond Secretarie of State, to whom he imparted his meſſage, as alſo to the Duke of Lerma, who aſſured him, that it would be an office very gratefull to his Maſter, and that it ſhould not want his beſt furtherance.

Concerning the place for landing of the

king of Spaines Armie which from the English Romish Catholiques he desired might be sent to inuade the land, It was resolued, That if the Armie were great, then Essex and Kent were iudged fittest, (where note by the way, who was then Lord Warden of the Cinque Ports,) If the Armie were small, and trusted vpon succour in England, then Milford Hauen was thought more conuenient.

Now there being at that time hostilitie betwixt both kingdomes, the king of Spaine willingly imbraced the motion, saying, that hee tooke the message from the Catholiques very kindly, and that in all things he would respect them with as great care as his proper Castilians. But for his further answere and full dispatch, *Thomas Winter* was appointed to attend the progresse. In the end whereof, being in Sommer time, Count Miranda gaue him this answere in the behalfe of his Master, that the King would bestow a hundreth thousand Crownes to that vse, halfe to bee paide that yeere, and the rest the next spring following. And withall required that wee should be as good as our promise: for the next spring hee meant to be with vs, and set foot in England.

And

And laſtly he deſired on the Kings behalfe of *Winter*, that he might haue certaine aduertiſment and intelligence, if ſo it ſhould in the meane time happen that the Queene did die. *Tho. VVinter* laden with theſe hopes returnes into England about a moneth before Chriſtmaſſe, and deliuered anſwere of all that had paſſed, to *Henry Garnet*, *Robert Catesby*, and *Francis Treſham*. But ſoone after ſet that glorious Light, her Maieſtie dyed. *Miratcano: Sol occubuit, Nox nulla ſecuta eſt.*

Preſently after whoſe death was *Chriſtopher Wright*, an other meſſenger ſent ouer into Spaine by *Garnet*, (who likewiſe did write by him to *Creſwell* for the furtherance of the Negociation) *Catesby*, & *Treſham*, in the name & behalfe of all the Romiſh Catholikes in England, aſwell to carrie newes of her Maieſties death, as alſo to continue the aforeſaid Negociation for an Inuaſion and penſions, which by *Tho. VVinter* had before been dealt in. And in the Spaniſh Court about two moneths after his arriuall there, doth *Chriſtopher VVright* meet with *Guy Fawkes*, who vpon the two and twentieth of Iune was imployed out of Flaunders from Bruxells by *Sir William Stanley*,

ley, *Hugh Owen*, (whoſe finger hath beene in euery Treaſon which hath been of late yeres detected,) and *Baldwyn* the Legier Ieſuite in Flaunders, from whome likewiſe the ſaide *Fawkes* carried letters to *Creſwell* in Spaine for the countenancing and furtherance of his affaires.

Now the end of *Fawkes* his imployment was, to giue aduertiſement to the King of Spaine, how the King of England was like to proceed rigorouſly with the Catholikes, and to run the ſame courſe which the late Queene did, And withall to intreate that it would pleaſe him to ſend an Armie into England to Milford Hauen where the Romiſh Catholiques would be readie to aſsiſt him, and then the Forces that ſhould be tranſported in *Spinolaes* Gallies, ſhould bee landed where they could moſt conueniently. And theſe their ſeuerall meſſages did *Chriſtopher Wright* and *Guy Faukes* in the end intimate & propounde to the King of Spaine. But the King as then very honorably anſwered them both, that he would not in any wiſe further liſten to any ſuch motion, as hauing before diſpatched an Ambaſſage into England to Treate concerning

cerning peace; Therefore this courſe by forreine forces fayling, they fell to the powder plot, *Catesby* and *Treſham* being in at all, in the Treaſon of the Earle of Eſſex, in the Treaſon of *Watſon* and *Clarke* Seminarie Prieſts, and alſo in this of the Ieſuits, Such a greedie appetite had they to practiſe againſt the State.

The reſt of that which Maſter Attorney then ſpake continuedly, was by himſelfe diuided into three general parts. The firſt conteining certaine conſiderations concerning this Treaſon. The ſecond obſeruations about the ſame. The third a compariſon of this Treaſon of the Ieſuites, with that of the Seminarie Prieſts, and that other of *Rawley* and others. For the conſiderations concerning the powder Treaſon, they were in number eight: That is to ſay, 1 The perſons by whome, 2 The perſons againſt whom, 3 The time when, 4 The place where, 5 The meanes, 6 The end, 7 The ſecret contriuing, And laſtly, the admirable diſcouery thereof.

1 For the perſons offending or by whom, they are of two ſorts: either of the Clergie, or Laitie, and for each of them there is a ſeuerall

obiection

obiection made. Touching those of the Laity, it is by some giuen out, that they are such men, as admit iust exception, either desperate in estate, or base, or not setled in their wits; such as are *Sine Religione, Sine Sede, Sine Fide, Sine Re, et Sine Spe*, without Religion, without habitation, without credite, without meanes, without hope; But (that no man, though neuer so wicked, may be wronged) true it is they were Gentlemen of good houses, of excellent parts, howsoeuer most pernitiously seduced, abused, corrupted, and Iesuited, of very competent fortunes and States; Besides that *Percy* was of the house of Northumberland, *Sir William Stanley*, who principally imployed *Fawkes* into Spaine, and *Iohn Talbot* of Graton, who at the least is in case of misprision of High Treason, both of great and honorable families. Concerning those of the spiritualty, it is likewise falsly said, that there is neuer a Religious man in this action. For I neuer yet knew a Treason without a Romish Priest: but in this there are very many Iesuites, who are knowen to haue dealt, and passed through the whole action: Three of them are Legiers and States men, as

Henry

Henry Garnet alias VValley the Superiour of the Ieſuites Legier here in England, Father *Creſwell* Legier Ieſuite in Spaine, Father *Baldwin* Legier in Flaunders, as *Parſons* at Rome, beſides their Curſorie men, as *Gerrard*, *Oſwald Teſmond alias Greeneway*, *Hamond*, *Hall*, and other Ieſuites: So that the principall offendors are the ſeducing Ieſuits, men that vſe the reuerence of Religion, yea euen the moſt Sacred and bleſſed name of IESVS as a mantle to couer their impietie, blaſphemie, treaſon, and Rebellion, and all manner of wickednesſe, as by the helpe of Chriſt ſhall be made moſt apparant to the glory of God, and the honour of our Religion. Concerning this Sect, their Studies and practiſes principally conſiſt in two $^{DD}_{Deus}$, to wit, in Depoſing of Kings, and diſpoſing of Kingdomes: their profeſsion & doctrine is a Religion of diſtinctions, the greateſt part of them being without the text, and therefore in very deede, idle and vaine conceits of their owne braines, not having *Membra diuidentia*, that is, all the parts of the diuiſion warranted by the word of God, and *Vbi lex non diſtinguit, nec nos diſtinguere debemus*. And albeit that Princes hold

their Crownes immediatly of and from God, by right of lawful Succeſſion and inheritance inherent by Royall blood, yet thinke theſe Ieſuits with a Gooſe quill, within foure diſtinctions to remoue the Crowne from the head of any King chriſtened, & to deale with them, as the old Romanes are ſaide to haue done with their Viceroyes, or pettie Kings, who in effect were but Lieutenants vnto them, to crowne & vncrowne them at their pleaſures. Neither ſo onely, but they wil proſcribe & expoſe them to be butchered by vaſſals, which is againſt their owne Canons, for Prieſtes to meddle in cauſe of blood. And by this meanes they would make the condition of a King far worſe then that of the pooreſt creature that breatheth. Firſt ſaith *Simanca*. *Hæretici omnes ipſo Iure ſunt excommunicati, et à Communione fidelium diris proſcriptionibus ſeparati, et quotannis in cœna Domini excommunicantur à Papa*: So then euery Heretique ſtandes and is reputed with them as excommunicated and accurſed, if not *de Facto*, yet *de Iure*, in law and right to all their intents and purpoſes, therefore may he be depoſed, proſcribed and murdered. I but ſuppoſe hee be not a profeſſed

De Excommunicatione tit. 27. ſect. 1. fol. 216. b.

profeſſed Heretique, but dealeth reſeruedly, and keepeth his conſcience to himſelfe, how ſtandes he then? *Simanca* anſweres. *Quæri autem ſolet an Hæreticus occultus excommunicatus ſit ipſo iure, et in alias etiam pœnas incidat contra Hæreticos ſtatutas? (ui quæſtioni ſimpliciter Iuriſperiti reſpondent, Quòd etſi hæreſis occulta ſit, nihilominus occultus Hæreticus incidit in illas pœnas,* Whether hee be a knowen or a ſecret Heretique all is one, they thunder out the ſame Iudgement and Curſe for both, Whereas Chriſt ſayth, *Nolite Iudicare*, Iudge not, which is, ſaith *Auguſtine, Nolite Iudicare de occultis*, of thoſe things which are ſecret. But ſuppoſe that a Prince thus accurſed and depoſed, will eſtſoones returne and conforme himſelfe to their Romiſh Church, ſhall hee then be reſtored to his State, and againe receiue his Kingdome? Nothing leſſe: For ſaith *Simanca, Si Reges aut alij Principes Chriſtiani facti ſint Hæretici, protinus ſubiecti & vaſalli ab eorum dominio liberantur, Nec Ius hoc recuperabunt, quamuis poſtea reconcilientur Eccleſiæ.* O But *Sancta Mater Eccleſia nunquam claudit gremium rediunti*, Our holy Mother the Church neuer ſhuts her boſome to anie

De occultis tit. 42. ſect. 2. fol. 193.

Conuert. It is true, say they, but with a distinction, *Quoad Animam*: Therefore so he may, and shall be restored, that is, spiritually, in respect of his soules health. *Quoad Animam* hee shall againe be taken into the Holy Church, but not *Quoad Regnum*, in respect of his Kingdome or State temporall hee must not be restored. The reason is, Because all hold onely thus farre, *Modò non sit ad damnum Ecclesiæ*: So that the Church receiue thereby no detriment. I but suppose that such an vnhappy deposed Prince haue a Sonne, or lawfull and right heire, and hee also not to be touched or spotted with his Fathers crime, shall not hee at the least succed and bee inuested into that Princely estate? Neither will this downe with them: Heresie is a leprosie, an hereditarie disease. *Et ex leprosis parentibus leprosi generantur filij*. Of leprous Parents come leprous children. So that sayeth *Simancа*: *Propter Heresim Regis, non solum Rex regno priuatur, sed & eius filij à regni succession pellũtur, vt noster Lupus,* (who is indeed *Vir secundùm Nomen eius*, a Wolfe aswell in nature as name,) *luculenter probat*. Now if any man doubt whome they here meane by an Heretique,

Cresswell

Creſwell in his booke called *Philopater* giues a plaine reſolution, *Regnandi Ius amittit* (ſaith hee) *qui Religionem Romanam deſerit*, Hee is the Heretique we ſpeake of, euen whoſoeuer forſakes the Religion of the Church of Rome, hee is accurſed, depriued, proſcribed, neuer to be abſolued but by the Pope himſelfe, neuer to be reſtored either in himſelfe or his poſteritie.

One place amongſt many out of *Creſwels Philopater* ſhall ſerue to giue a taſte of the Ieſuiticall ſpirits and doctrine, which is *Sect. 2. pag. 109. Hinc etiam infert vniuerſa Theologorum ac Iuriſconſultorum Eccleſiaſticorum ſchola, (& eſt certum & de fide) quemcunq; Principem Chriſtianum, ſi à Religione Catholica manifeſtò diflexerit, & alios auocare volnerit, excidere ſtatim omni poteſtate ac dignitate, ex ipſa vi Iuris tum humani tum diuini, hocq; ante dictã ſententiam ſupremi paſtoris ac Iudicis contra ipſum prolatã, & ſubditos quoſcunq; liberos eſſe ab omni Iuramenti obligatione, quod de obedientia tanquam Principi legittimo præſtitiſſent: poſſeq; & debere, (ſi vires habeant) iſtiuſmodi hominem tanquam Apoſtatam, hereticum, ac Chriſti Domini deſertorem, & reipub. ſuæ Inimicum*

hoſtemq; ex hominum Chriſtianorum dominatu eijcere, ne alios inficiat, vel ſuo exemplo aut Imperio à fide auertat, Atque hæc certa, definita & indubitata virorum doctiſsimorum ſententia. That is, This inference alſo doth the whole Schoole both of Diuines and Lawyers make, (and it is a poſition certaine and to bee vndoubtedly beleeued) that if any Chriſtian Prince whatſoeuer, ſhall manifeſtly turne from the Catholike Religion, and deſire or ſeeke to reclaime other men from the ſame, hee preſently falleth from all princely power and dignitie, and that alſo by vertue and force of the Lawe it ſelfe both diuine and humane, euen before any ſentence pronounced againſt him by the ſupreme Paſtor & Iudge. And that his Subiects of what eſtate or condition ſoeuer, are freed from all bond of oath of Allegeance, which at any time they had made vnto him as to their lawful Prince. Nay, that they both may and ought (prouided they haue competent ſtrength and force) caſt out ſuch a man from bearing rule amongſt Chriſtians, as an Apoſtata, an hereticke, a backſlider and reuolter from our Lord Chriſt, and an enemie to his owne ſtate and Com-

mon

mon wealth, least perhaps hee might infect others, or by his example or command turne them from the faith. And this is the certaine, resolute, and vndoubted Iudgement of the best learned men. But *Tresham* in his booke *De officio Principis Christiani*, goeth beyond all the rest, for he plainely concludeth and determineth that if any Prince shall but fauour, or shew countenance to an heretick, he presently looseth his Kingdome. In his fifth Chapter, he propoundeth this probleme, *An aliqua possit secundum Conscientiam subditis esse Ratio, cur legitimo suo Regi, bellum sine scelere moueant*, whether there may bee any lawfull cause, iustifiable in conscience, for Subiects to take Armes without sinne, against their lawfull Prince and Soueraigne. The resolution is, *Si Princeps hæreticus sit & obstinatè ac pertinaciter intolerabilis, summi Pastoris diuina potestate deponatur, & aliud caput constituatur, ni subditi se iungant, & legitimo ordine & authoritate tyrannidem amoueant. Princeps indulgendo hæreticos non solùm Deum offendit, sed perdit & Regnum & gentem*. Their conclusion therefore is, that for heresie as aboue is vnderstood, a Prince is to be deposed, and his Kingdome

bestowed

bestowed by the Pope at pleasure, and that the people vpon paine of damnation, are to take part with him whom the Pope shall so constitute ouer them. And thus whilest they imagine with the wings of their light feathered distinctions to mount aboue the cloudes, and leauell of vulgar conceites, they desperatly fall into a Sea of grosse absurdities, blasphemie, and impietie. And surely the Iesuites were so farre ingaged in this Treason, as that some of them sticke not to say, that if it should miscarrie, that they were vtterly vndone, and that it would ouerthrowe the State of the whole societie of the Iesuites: And I pray GOD that in this, they may prooue true Prophets, that they may become like the Order of *Templary* so called for that they kept neere the Sepulchre at *Ierusalem*, who were by a generall and vniuersall Edict in one day throughout Christendome quite extinguished, as being *Ordo impietatis*, an order of impietie. *And so from all sedition and priuie conspiracie, from all false doctrine and heresie, from hardnes of hart & contempt of thy word & commandement, Good Lord deliuer vs.* Their protestations and pretences, are to winne soules

bewailed

to

to GOD, their proofes weake, light, and of no value, their concluſions falſe, damnable, and damned hereſies: The firſt mentioneth GOD, the ſecond ſauoreth of weake and fraile man, the laſt of the Deuill, and their practiſe eaſily appeareth out of the dealing of their holy Father.

Henry the third of *France* for killing a Cardinall was Excommunicated, and after murdered by *Iames Clement* a Monke: That fact doth *Sixtus Quintus* then Pope in ſtead of orderly cenſuring thereof, not onely approoue, but commend in a long Conſiſtorie Oration: That a Monke, a Religious man ſaith he, hath ſlaine the vnhappie *French* King in the middeſt of his hoſte, It is *Rarum, inſigne, memorabile facinus*, a rare, a notable, and a memorable Act, yea further, It is *Facinus non ſine Dei optimi Maximi particulari prouidentia & diſpoſitione, &c.* A fact done not without the ſpeciall prouidence & appointment of our good GOD, and the ſuggeſtion and aſſiſtance of his holy Spirit, yea a farre greater worke then was the ſlaying of *Holofernes* by holy *Iudith.*

Verus Monachus fictum occiderat, A true

Monke had killed the falſe Monke, for that, as was reported, *Henry* the third ſometimes would vſe that habite when hee went in Proceſsion: And for *France*, euen that part thereof which entertaineth the Popiſh Religion, yet neuer could of ancient time brooke this vſurped authoritie of the Sea of Rome: Namely that the Pope had power to Excommunicate Kings, and abſolue Subiects from their Oath of allegeance: Which poſition is ſo directly oppoſite to all the Canons of the Church of *France*, and to all the Decrees of the Kings Parliament there, as that the very body of *Sorbone*, and the whole Vniuerſitie of *Paris* condemned it as a moſt ſchiſmaticall, peſtilent and pernicious doctrine of the Ieſuites, as may appeare in a Treatiſe made to the *French* King, and ſet out 1602. intituled, *Le franc diſcours*. But to returne to the Ieſuites, *Catesby* was reſolued by the Ieſuites, that the Fact was both lawfull and meritorious, and herewith hee perſwaded and ſetled the reſt, as any ſeemed to make doubt.

Concerning *Thomas Bates*, who was *Cateſbyes* man, as hee was wound into this Treaſon by his Maſter, ſo was hee reſolued, when hee doubted

doubted of the lawfulneſſe thereof, by the doctrine of the Ieſuites. For the maner, it was after this ſort; *Catesby* noting that his man obſerued him extraordinarily, as ſuſpecting ſomewhat of that which hee the ſaid *Catesby* went about, called him to him at his lodging in Puddle-wharfe, and in the preſence of *Thomas Winter*, asked him what hee thought the buſineſſe was they went about, for that he of late had ſo ſuſpiciouſly and ſtrangely marked them. *Bates* anſwered, that hee thought they went about ſome dangerous matter, whatſoeuer the particular were: whereupon they asked him againe what hee thought the buſines might be, and he anſwered that hee thought they intended ſome dangerous matter about the Parliament houſe, becauſe hee had beene ſent to get a lodging neere vnto that place. Then did they make the ſaid *Bates* take an Oath to bee ſecret in the Action, which being taken by him, they then told him that it was true, that they were to execute a great matter, namely to lay Powder vnder the Parliament houſe to blow it vp. Then they alſo told him that hee was to receiue the Sacrament for the more aſſurance, and thereupon hee went to

Confeſsion to the ſaid *Tesmond* the Ieſuite, and in his Confeſsion told him that hee was to conceale a very dangerous piece of worke, that his Maſter *Catesby* and *Thomas Winter* had imparted vnto him, and ſaid hee much feared the matter to be vtterly vnlawfull, and therefore therein deſired the counſell of the Ieſuite, and reuealed vnto him the whole intent and purpoſe of blowing vp the Parliament houſe vpon the firſt day of the Aſſembly, at what time the King, the Queene, the Prince, the Lords Spirituall and Temporall, the Iudges, the Knights, Citizens and Burgeſes, ſhould all haue beene there Conuented and met together. But the Ieſuite being a Confederate therein before, reſolued and incouraged him in the Action, and ſaid that he ſhould be ſecret in that which his Maſter had imparted vnto him, for that it was for a good cauſe. Adding moreouer, that it was not dangerous vnto him, nor any offence to conceale it: And thereupon the Ieſuite gaue him Abſolution, and *Bates* receiued the Sacrament of him, in the companie of his Maſter *Robert Catesby* and *Thomas Winter*. Alſo when *Rookewood* in the preſence of ſundrie of the

the Traitors (hauing firſt receiued the Oath of ſecrecie) had by *Catesby* imparted vnto him the Plot of blowing vp of the King and State, The ſaid *Rookewood* being greatly amazed thereat, anſwered that it was a matter of conſcience to take away ſo much blood; but *Catesby* replied that he was reſolued, and that by good Authoritie (as comming from the ſuperiour of the Ieſuites) that in conſcience it might bee done, yea though it were with the deſtruction of many Innocents, rather then the Action ſhould quaile. Likewiſe father *Hammond* abſolued all the Traitors at *Robert Winters* houſe, vpon Thurſday after the Diſcouerie of the Plot, they being then in open Rebellion: And therefore, *Hos ô Rex magne caueto*, and let all Kings take heede, how they either fauour or giue allowance or conniuence vnto them.

2 The ſecond conſideration reſpecteth the perſons againſt whome this Treaſon was intended, which are, 1. the King who is Gods annointed. Nay it hath pleaſed God to communicate vnto him his own name. *Dixi, Dij eſtis*, not ſubſtantially or eſſentially ſo, neither yet on the other ſide *Vſurpatiuè*, by

vniuſt vſurpation, as the Deuill and the Pope: But *Poteſtatiuè* as hauing his power deriued from God within his territories, 2. their naturall liege Lord & dread Soueraigne, whoſe iuſt intereſt and title to this Crowne, may bee drawen from before the Conqueſt, and it hee were not a King by Deſcent, yet deſerued hee to be made one for his rare and excellent Endowments & Ornaments both of body and mind. Looke into his true and conſtant Religion and Pietie, his Iuſtice, his Learning aboue all Kinges chriſtened, his *Acumen*, his Iudgement, his Memorie, and you will ſay that hee is indeede *Solus præteritis maior, melior q; futuris*. But becauſe I cannot ſpeake what I would, I will forbeare to ſpeak what I could. Alſo againſt the Queene, a moſt gracious and graceſull Lady, a moſt vertuous, fruitfull, and bleſſed Vine, who hath happily brought forth ſuch Oliue braunches, as that *in benedictione erit Memoria eius*, her memorie ſhall be bleſſed of all our poſteritie. Then againſt the Royall iſſue male, next vnder God, and after our Soueraigne the future hope, comfort, ioy, and life of our State. And as for preſeruing of the good Lady *Elizabeth* the kings

daughter,

daughter, it ſhould only haue bin for a time to haue ſerued their purpoſes, as being thought a fit proiect to keepe others in appetite for their own further aduantage; And then God knoweth what would haue become of her. To conclude, againſt all the moſt Honorable and prudent Counſellers, & all the true hearted and worthy Nobles, all the Reuerend and learned Biſhops, all the graue Iudges and Sages of the Law, all the principal Knights, Gentrie, Citizens, and Burgeſſes of Parliament, the flowre of the whole Realme. *Horret Animus*, I tremble euen to thinke of it: Miſerable deſolation, No King, no Queene, no Prince, no iſſue male, no Counſellers of State, no Nobilitie, no Biſhops, no Iudges. O barbarous, and more then Scythian or Thracian cruelty! No mantle of holineſſe can couer it, no pretence of Religion can excuſe it, no ſhadow of good intention can extenuate it, God and heauen condemne it, man and earth deteſt it, the offenders themſelues were aſhamed of it, vvicked people exclaime againſt it, and the ſoules of al true Chriſtian ſubiects abhorres it, miſerable but yet ſodaine had their ends bin, who ſhould haue dyed in that fierie tempeſt

and

and ſtorme of Gunpowder: But more miſerable had they been that had eſcaped, and vvhat horrible effects the blowing vp of ſo much powder & ſtuffe vvould haue wrought, not only amongſt men and beaſtes, but euen vpon inſenſible creatures, churches, and houſes, and all places neere adioyning, you vvho haue beene Martiall men beſt know. For my ſelfe, *Vox faucibus hæret*: So that the King may ſay with the Kingly Prophet DAVID,

Pſal.86.14. *O Lord, the proude are riſen againſt mee, and the Congregation, euen* Synagoga, *the Synagogue of naughty men haue ſought after my ſoule, and haue not ſet thee before their eyes.* And as it is Pſalme 140. 5. *The proude haue laied a ſnare for mee, and ſpread a net abroad, yea and ſet trappes in*

Pſal.141.11. *my way: But let the vngodly fall into their owne nets together, and let me euer eſcape them.* Wee

Pſal. 124.1. may ſay, *If the Lord himſelfe had not beene on our ſide, yea if the Lord himſelfe had not beene on our ſide, when men roſe vp againſt vs, they had ſwallowed vs vp quicke, when they were ſo wrathfully diſpleaſed at vs: But praiſed be the Lord, which hath not giuen vs ouer for a pray vnto their teeth. Our ſoule is eſcaped euen as a bird out of the ſnare of the Fowler, the ſnare is*

broken,

broken and we are deliuered. Our helpe ſtandeth in the name of the Lord which hath made heauen and earth.

3 The third Conſideration reſpects the time when this Treaſon was conſpired: wherein note that it was *Primo Iacobi*, euen at that time when his Maieſtie vſed ſo great lenitie towards Recuſants, in that by the ſpace of a whole yeere and foure moneths, he tooke no penalue by Statute of them. So farre was his Maieſtie from ſeueritie, That beſides the benefit and grace before ſpecified, hee alſo honoured all alike with aduancement and fauours, and all this was continued vntill the Prieſts Treaſon by *Watſon* and *Clarke*: But as there is *Miſericordia puniens*, ſo is there likewiſe *Crudelitas parcens*: For they were not only by this not reclaymed, but (as plainely appeareth) became far worſe. Nay the Romiſh Catholiques did at that very time certifie that it was very like, the King would deale rigorouſly with them, & the ſame do theſe Traitors now preteꝺ, as the chiefeſt motiue, whereas in deed they had Treaſon on foot againſt the King before they ſee his face in England: Neither afterwards for all the lenitie hee vſed

towards them, would any whit desist or relent from their wicked attempts. Nay, (that which commeth next to bee remembred in this part of their arraignement) they vvould picke out the time of Parliament for the execution of their hideous Treasons, wherein the floure of the land being assembled, for the honour of God, the good of his Church, and this Common wealth, they might as it were with one Blow, not vvound, but kill and destroy the vvhole State: So that vvith these men, *Impunitas continuum affectum tribuit peccandi*, lenitie hauing once bred a hope of Impunitie, begat not onely Insolencie, but Impenitencie and increase of sinne.

4 Wee are to consider the place, which was the sacred Senate, the house of Parliament. And vvhy there? for that say they, vniust Lawes had formerly beene there made against Catholiques: Therefore that vvas the fittest place of all others to reuenge it, & to do Iustice in. If any aske vvho should haue executed this their Iustice, it vvas Iustice *Fawkes*, a man like enough to doe according to his name. If by vvhat Lavv they meant to proceed; it vvas Gunpowder Law, fit for Iustices

of

of hell. But concerning thoſe Lawes vvhich they ſo calumniate as vniuſt, it ſhall in fewe vvords plainely appeare, that they were of the greateſt both moderation and equitie that euer vvere any. For from the yeare 1. *Eliz.* vnto 11. all Papiſts came to our Church and ſeruice vvithout ſcruple, I my ſelfe haue ſeene *Cornevvallis*, *Beddingfield*, & others at Church: ſo that then for the ſpace of ten yeeres, they made no conſcience nor doubt to Communicate vvith vs in prayer: But when once the Bull of Pope *Pius Quintus* vvas come & publiſhed, vvherin the Queene vvas accurſed and depoſed, and her ſubiects diſcharged of their obedience and othe, yea curſed if they did obey her: Then did they all forthwith refraine the Church, then vvould they haue no more ſocietie with vs in prayer: So that Recuſancie in them is not for Religion, but in an acknowledgement of the Popes power, and a plaine manifeſtation vvhat their iudgement is concerning the right of the Prince in reſpect of regall power and place. Two yeeres after *viz. Anno* 13. *Eliz.* was there a Law made againſt the bringing in of Bulles, &c. *Anno* 18. came *Mayne* a Prieſt to moue ſedition. *Anno*

20. came *Campion* the first Iesuite, who vvas sent to make a party here in England, for the execution of the former Bull. Then followes treasonable bookes. *Anno 23. Eliz.* after so many yeeres sufferance, there were Lawes made against Recusants, & seditious bookes. The penaltie or Sanction for Recusancie, was not losse of life or limme or whole State, but onely a pecuniarie mulct and penaltie, and that also vntill they would submit and conforme themselues, & againe come to Church, as they had done for tenne yeeres before the Bull. And yet afterwards the Iesuites and Romish Priests both comming dayly into and swarming within the Realme, & infusing continually this poyson into the Subiects hearts, that by reason of the said Bull of *Pius Quintus*, her Maiestie stood excommunicated and depriued of her kingdome, and that her Subiects were discharged of all obedience to her, endeuouring by all meanes to drawe them from their dutie and allegeance to her Maiestie, and to reconcile them to the Church of Rome; Then 27. *Eliz.* A Law vvas made, that it should be treason for any (not to bee a Priest & an Englishman, borne the Queenes

natu-

naturall ſubiect) but for any being ſo borne her Subiect, and made a Romiſh Prieſt, to come into any of her Dominions, to infect any her loyall Subiects, with their treaſonable and damnable perſwaſions and practiſes: yet ſo, that it concerned onely ſuch as were made Prieſtes ſithence her Maieſtie came to the Crowne, and not before.

Concerning the execution of theſe Lawes, it is to bee obſerued likewiſe, that whereas in the Quinquennie, the fiue yeeres of Queene *Mary*, there were cruelly put to death about 300. perſons for Religion; In all her Maieſties time by the ſpace of 44. yeeres and vpwardes, there were for treaſonable practiſes executed in all not 30. Prieſts, nor aboue fiue receiuers and harbourers of them, and for Religion not any one. And here by the way, I deſire thoſe of Parliament to obſerue, that it is now queſtioned and doubted, whether the Law of Recuſants and reconciled perſons doe holde for Ireland alſo, and the parts beyond the Seas: That is, whether ſuch as were there reconciled bee within the compaſſe of the Statute or not, to the end it may be cleared and prouided for.

Now against the vsurped power of the Sea of Rome, we haue of former times about 13. seuerall Actes of Parliament: So that the Crowne and King of England is no wayes to be drawen vnder the gouernment of any forraine power whatsoeuer, neither oweth duty to any, but is immediatly vnder God himself. Concerning the Popes for 33. of them, namely vnto *Siluester*, they were famous Martyrs. But *Quicunq; desiderat primatum in terris, inueniet confusionem in cœlis*: Hee that desires primacie vpon earth, shall surely finde confusion in heauen.

The fifth consideration is of the end, which was to bring a finall and fatall confusion vpon the State. For howsoeuer they sought to shadow their impietie with the cloke of Religion, yet they intended to breede a confusion fit to get new Alterations, for they went to ioyne with Romish Catholikes and discontented persons.

Now the sixth point, which is the meanes to compasse and worke these designes, were damnable, by Myning, by fiue and thirtie Barrels of Powder, hauing Crowes of Iron, Stones and Wood laide vpon the Barrels, to

haue made the breach the greater. Lord, what a Wind, what a Fire, what a motion & Commotion of Earth and Ayre would there haue bene! But as it is in the booke of Kings, when *Elias* was in the Caue of the Mount *Horeb*, and that hee was called forth to ſtand before the Lord, behold a mightie ſtrong Winde rent the Mountaines, and brake the Rockes, *ſed non in vento Dominus*, but the Lord was not in the wind. And after the wind came a Commotion of the Earth and Ayre: *Et non in Commotione Dominus*; the Lord was not in that Commotion. And after the Commotion came fire, *Et non in igne Dominus*; the Lord was not in the fire: So neither was GOD in any part of this monſtrous action. The Authors whereof were in this reſpect worſe then the very damned Spirit of *Diues*, who as it is in the Goſpel, deſired that others ſhould not come *in locum tormentorum*.

7 The next conſideration is the ſecret contriuing and carriage of this Treaſon, to which purpoſe there were foure meanes vſed. Firſt, *Catesby* was commended to the Marques for a Regiment of Horſes in the Low-countreys, (which is the ſame that the Lord *Arundel*

now

now hath) that vnder that pretence he might haue furnished this Treason with Horses without suspition. The second meanes was an Oath, which they solemnely and seuerally tooke, as well for secrecie, as perseuerance and constancie in the execution of their Plot. The forme of the Oath was as followeth,

YOu shall sweare by the blessed Trinitie, and by the Sacrament you now purpose to receiue, neuer to disclose directly nor indirectly, by word or circumstance, the matter that shall be proposed to you to keepe secret, nor desist from the Execution thereof vntill the rest shall giue you leaue.

This Oath was by *Gerrard* the Iesuite giuen to *Catesby*, *Percy*, *Christopher Wright*, and *Thomas Winter* at once, and by *Greenewel* the Iesuite to *Bates* at another time, and so to the rest.

The third was the Sacrament, which they impiously and deuilishly prophaned to this end. But the last was their perfidious and periurious Equiuocating, abetted, allowed, and iustified by the Iesuites, not onely simply to

conceale

conceale or denie an open trueth, but Religiouſly to auerre, to proteſt vpon ſaluation, to ſwear that which themſelues know to be moſt falſe, and all this by reſeruing a ſecret and priuate ſenſe inwardly to themſelues, whereby they are by their Ghoſtly fathers perſwaded, that they may ſafely and lawfully delude any queſtion whatſoeuer. And here was ſhewed a Booke written not long before the Queenes death, at what time *Thomas Winter* was imployed into *Spaine*, intituled, *A Treatiſe of Equiuocation*, which Booke being ſeene and allowed by *Garnet*, the ſuperiour of the Ieſuits, and *Blackwel* the Archprieſt of *England*, in the beginning therof, *Garnet* with his owne hand put out thoſe words in the Title of *Equiuocation*, and made it thus. *A Treatiſe againſt lying, and fraudulent diſsimulation*, whereas indeede and trueth it makes for both, *Specioſa, nomina Culpæ Imponis Garnette tuæ*. And in the end thereof, *Blackwel* beſprinkles it with his bleſsing, ſaying, *Tractatus iſte, valde doctus & verè pius, & Catholicus eſt, Certe S. Scripturarum, Patrum, Doctorum, Scholaſticorum, Canoniſtarum & optimarum Rationum præſidijs pleniſsimè firmat æquitatem æquiuocationis,*

tionis, Ideóq; dignissimus est qui Typis propagetur, ad consolationem afflictorum Catholicorum, & omnium piorum instructionem. That is, this Treatise is very learned, godly, and Catholike, and doeth most fully confirme the equitie of Equiuocation, by strong proofes out of holy Scriptures, Fathers, Doctors, Schoolemen, Canonists, and soundest reasons, and therefore worthy to be published in Print, for the comfort of afflicted Catholikes, and instruction of all the godly.

Now in this Booke there is *Propositio mentalis, verbalis, scripta*, and *mixta*, distinguishing of a mentall, a verball, a written, and a mixt proposition, a very labyrinth to leade men into error and falshood. For example, to giue you a little taste of this Art of cousning.

A man is asked vpon Oath this question, Did you see such a one to day? he may by this doctrine answere: NO, though hee did see him, *viz.* reseruing this secret meaning, not with purpose to tell my Lord Chiefe Iustice. Or, I see him not *visione beatifica*, or, not in *Venice*, &c. Likewise to answere thus, I was in the companie, reseruing and intending secretly as added, this word NOT: As *Strange* the

the Ieſuite did to my Lord Chiefe Iuſtice and my ſelfe: Take one or two of theſe out of that very booke, as for purpoſe. A man commeth vnto *Couentrie* in time of a ſuſpicion of plague, and at the Gates the Officers meete him, and vpon his Oath Examine him, whether hee came from *London* or no, where they thinke certainely the plague to be: This man knowing for certaine the plague not to bee at *London*, or at leaſt knowing that the ayre is not there infectious, and that hee onely ridde through ſome ſecret place of *London*, not ſtaying there, may ſafely ſweare, he came not from *London*, anſwering to their finall intention in their demaund, that is, whether hee came ſo from *London*, that he may indanger their Citie of the plague, although their immediate intention were to know whether hee came from *London* or no. That man (ſayth the Booke) the very light of nature would cleere from periurie. In like maner one being cõuented in the Biſhops court, becauſe he refuſeth to take ſuch a one to his wife, as he had Contracted with *per verba de præſenti*, hauing Contracted with an other priuily before, ſo that hee cannot bee husband to her that claimeth

meth him, may answere that hee neuer Contracted with her *per verba de præsenti*, vnderstanding that hee did not so Contract that it was a marriage, for that is the finall intention of the Iudge, to know whether there were a sufficient marriage betweene them or no. Neuer did father *Cranmer*, father *Latimer*, father *Ridley*, those blessed Martyrs knowe these shifts, neither would they haue vsed them to haue saued their liues. And surely let euery good man take heede of such Iurors or witnesses, there being no faith, no bond of Religion or ciuilitie, no conscience of trueth in such men, and therefore the conclusion shall be that of the Prophet *Dauid*. *Domine libera Animam meam à labijs iniquis & à lingua dolosa, Deliuer me O Lord from lying lips and from a deceitfull tongue.*

S. P. Q. R. Was sometimes taken for these words, *Senatus Populusq; Romanus*, the Senate and people of *Rome*, but now they may truely be expressed thus, *Stultus Populus quærit Romam*: A foolish people that runneth to *Rome*. And heere was very aptly and delightfully inserted and related the Apologue or Tale of the Catte and the Mise.

The

The Cat hauing a long time prayed vpon the Miſe, the poore creatures at laſt for their ſafetie conteined themſelues within their holes, but the Catte finding his pray to ceaſe, as being knowen to the Miſe, that he was indeede their enemie and a Cat, diuiſeth this courſe following, *viz.* changeth his hue, getteth on a Religious habite, ſhaueth his crowne, walkes grauely by their holes: And yet perceiuing that the Miſe kept their holes, and looking out ſuſpected the worſt, he formally, and fatherlike ſaid vnto them, *Quod fueram non ſum, frater, caput aſpice tonſum*: Oh brother, I am not as you take me for, no more a Catte, ſee my habite and ſhauen crowne. Hereupon ſome of the more credulous and bold among them, were againe by this deceit ſnatched vp, and therefore when afterwards hee came as before to intice them forth, they would come out no more, but anſwered, *Cor tibi reſtat idem vix tibi præſto fidem*, Talke what you can we will neuer beleeue you, your haue ſtill a Cats heart within you: You doe not watch and pray, but you watch to pray. And ſo haue the Ieſuites, yea and Prieſts too, for they are all ioyned in the tailes like *Sampſons* Foxes,

Ephraim against *Manasses*, and *Manasses* against *Ephraim*, but both against *Iuda*.

8 The last Consideration is concerning the admirable discouery of this Treason, which was by one of themselues, who had taken the oath and Sacrament, as hath bin sayd, against his owne vvill, The meanes was by a darke and doubtfull Letter sent to my Lord *Mountegle*. And thus much as touching the Considerations; The obseruations follow, to be considered in this powder Treason, and are briefly thus.

1 If the Cellar had not beene hired, the Myneworke could hardly or not at all haue beene discouered; for the Mine was neither found nor suspected vntill the daunger was past, and the Capitall offenders apprehended, and by themselues vpon Examination confessed.

2 How the King was Diuinely illuminated by Almighty God, the only ruler of Princes, like an Angell of God to direct and point as it were to the very place, to cause a search to be made there, out of those darke wordes of the Letter concerning a terrible Blow.

3 Obserue a miraculous accident which

befell

befell in *Stephen Littletons* houſe called *Holbach* in Staffordſhire, after they had been two daies in open Rebellió, immediatly before the apprehenſion of theſe Traitors: For ſome of them ſtanding by the fire ſide, and hauing ſet 2.l. and di. of powder to drie in a platter before the fire, and vnderſet the ſaid platter with a great linnen bagge ful of other powder conteyning ſome fifteene or ſixteene poundes; It ſo fell out, that one comming to put more wood into the fire, and caſting it on, there flue a coale into the platter, by reaſon whereof the powder taking fire and blowing vp, ſcorched thoſe who were neereſt, as *Catesby, Graunt, and Rookewood*, blew vp the roofe of the houſe, and the linnen bagge which was ſet vnder the platter being therewith ſudenly carried out through the Breach, fell downe in the court yard whole and vnfired, which if it had took fire in the roome, would haue ſlaine them all there, ſo that they neuer ſhould haue come to this triall, And *Lex iuſtior vlla eſt, Quàm necis artifices arte perire ſua?*

4 Note that Gunpowder was the inuention of a Fryar, one of that Romiſh rable, as PRINTING was of a SOVLDIER.

5 Obſerue

5 Obſerue the ſending of *Bainham* one of the damned crew to the high Prieſt of Rome, to giue ſignification of this Blow, and to craue his direction and aide.

6 That for all their ſtirring and riſing in open Rebellion, and notwithſtanding the falſe Rumors giuen out by them, That the throats of all Catholiques ſhould be cut; ſuch is his Maieſties bleſſed gouernment, and the loyaltie of his Subiects, as they got not any one man to take their parts beſides their owne company.

7 Obſerue, the Shiriffe the ordinary Miniſter of Iuſtice according to the diuie of his Office, with ſuch power as he on a ſodaine by Law collected, ſuppreſſed them.

8 That God ſuffered their Intended miſchiefe to come ſo neere the Period, as not to be diſcouered, but within few houres before it ſhould haue beene executed.

9 That it was in the entring of the Sunne into the Tropique of *Capricorne*, when they began their Myne, Noting that by Myning they ſhould deſcend, and by hanging aſcend.

10 That there neuer was any Proteſtant Miniſter in any Treaſon and Murder as yet attempted

attempted within this Realme.

I am now come to the laſt part, which I propoſed in the beginning of this diſcourſe, and that is touching certaine compariſons of this powder Treaſon of the Ieſuites, with that of *Raleigh*, and the other of the Prieſts *Watſon*, and *Clarke*. 1 They had all one end, and that was the Romiſh Catholike cauſe. 2 The ſame meanes, by Popiſh & diſcontented perſons, Prieſts and Lay men. 3 They all plaid at hazard, The Prieſts were at the By, *Raleigh* at the Maine, but theſe in at all, as purpoſing to deſtroy all the Kings royall iſſue, and withall the whole Eſtate. 4 They were all alike obliged by the ſame Othe and Sacrament. 5 The ſame Proclamations were intended (after the fact) to be publiſhed for reformation of abuſes. 6 The like Armie prouided for inuading, to land at Milford hauen, or in Kent. 7 The ſame penſions of Crownes promiſed. 8 The agreeing of the times of the Treaſon of *Raleigh* and theſe men, which was, when the Conſtable of Spaine vvas comming hither, and *Raleigh* ſaid there could be no ſuſpition of any Inuaſion, ſeeing that the Conſtable of Spaine vvas then expected for a

Compariſons.

treatie of peace, And the Navie might bee brought to the *Groine* vnder pretence of the Seruice in the Low Countryes. And *Raleigh* further said, that many more were hanged for vvordes then for deeds. And before *Raleighs* Treason was discouered, it vvas reported in Spaine, that *Don Raleigh*, and *Don Cobham* should cut the King of Englands throate. I say not that we haue any proofes, that these of the powder plot, were acquainted with *Raleigh*, or *Raleigh* with them: but as before was spoken of the Iesuites & Priests, so they all were ioyned in the endes, like *Sampsons* Foxes in the tayles, howsoeuer seuered in their heads.

Conclusion. The Conclusion shall be from the admirable clemencie, and moderation of the King, in that howsoeuer these Traitors haue exceeded all others their predecessors in mischiefe, and so *Crescente malitia, crescere debuit & Pœna*, yet neither will the King exceed the vsuall punishment of Lawe, nor inuent any new torture or torment for them; but is graciously pleased to afforde them aswell an ordinarie course of triall, as an ordinarie punishment, much inferiour to their offence. And surely

worthy of obseruation is the punishment by Law prouided and appointed for high Treason, which we call *Crimen læsæ Maiestatis.* For first after a Traitor hath had his iust trial, and is conuicted and attainted, hee shall haue his Iudgement to be drawen to the place of Execution from his prison, as being not worthie any more to tread vpon the face of the earth, whereof he was made. Also for that he hath beene retrograde to nature, therefore is hee drawen backwardes at a horse taile. And whereas God hath made the head of man the highest and most supreame part, as being his chiefe grace, and ornament: *Pronaq; cùm spectent Animalia cætera terram; Os homini sublime dedit*, hee must be drawen with his head declyning downeward, and lying so neere the ground as may be, being thought vnfit to take benefit of the common ayre: For which cause also, he shalbe strangled, being hanged vp by the necke betweene heauen and earth, as deemed vnworthy of both, or either: As likewise, that the eyes of men may behold, and their hearts contemne him. Then is hee to be cut downe aliue, and to haue his priuie parts cut off and burnt before his face, as be-

ing vnworthily begotten, and vnfit to leaue any generation after him. His bowels and inlayed parts taken out and burnt, who inwardly had conceiued and harboured in his heart such horrible Treason. After, to haue his head cut off which had imagined the mischiefe. And lastly, his body to be quartered, and the quarters set vp in some high and eminent place, to the view & detestation of men, and to become a pray for the foules of the aire. And this is a reward due to Traitors, whose hearts be hardened: For that it is Phisicke of State and gouernment, to let out corrupt blood from the heart. But *Panitentia cum a nunquam sera, sed panitentia sera rarò vera.* True repentance is indeed neuer too late: but late repentance is seldome found true, vvhich yet I pray the mercifull Lord to grant vnto them, that hauing a sense of their offences, they may make a true and sincere Confession both for their soules health, and for the good and safty of the King and this State. And for the rest that are not yet apprehended, my prayer to God is, *Vt aut Conuertantur ne pereant, aut confundantur ne noceant*, that either they may be conuerted, to the end they

perish

periſh not, or els confounded that they hurt not.

After this, by the direction of Maſter Atturney generall, were their ſeuerall examinations (ſubſcribed by themſelues) ſhewed particularly vnto them, and acknowledged by them to be their owne, & true, wherein euery one had confeſſed the Treaſon. Then did Maſter Atturney deſire, that albeit that vvhich had beene already done and confeſſed at the Barre might be ſufficient for the Declaration and Iuſtification of the courſe of Iuſtice then held, eſpecially ſeeing wee haue *Reos confitentes*, the Traitors owne voluntary Confeſsions at the Barre: yet for further ſatisfaction to ſo great a preſence and audience, and their better memorie of the carriage of theſe Treaſons, the voluntarie and free confeſſions of all the ſaid ſeueral Traitors in writing ſubſcribed with their owne proper hands, and acknowledged at the Barre by themſelues to be true, were openly and diſtinctly read. By vvhich, amongeſt other things, it appeared that *Bates* vvas reſolued for vvhat hee vndertooke concerning the powder Treaſon, and being therein warranted by the Ieſuites. Al-

for it appeared that *Hammond* the Iesuite, after that he knew the powder Treason was discouered, & that these Traitors had bin in Actuall Rebellion, confessed them, and gaue them absolution, and this was on Thursday the 7. of November. Here also was mention made by Mr Atturney of the Confessions of *Watson* and *Clarke*, Seminarie Priests, vpon their apprehension, who affirmed that there was some Treason intended by the Iesuites, and then in hand, as might appeare: First by their continuall negociating at that time with *Spaine*, which they assured themselues tended to nothing, but a preparation for a forreine commotion.

2 By their collecting and gathering together such great summes of mony, as then they had done, therewith to leauie an Army when time should serue.

3 For that sundrie of the Iesuites had bene tampering with Catholikes, as well to dissuade them from acceptance of the King at his first comming, saying, that they ought rather to die, then to admit of any Hereticke (as they continually termed his Maiestie) to the Crowne: And that they might not vnder

paine

paine of Excommunication accept of any but a Catholike for their Soueraigne, as alſo to diſſwade Catholikes from their loyaltie after the State was ſetled.

Laſtly, in that they had both bought vp ſtore of great Horſes throughout the Countrey, and conueyed Powder and Shotte, and Artillerie ſecretly to their friendes, wiſhing them not to ſtirre, but keepe themſelues quiet vntill they heard from them.

After the Reading of their ſeuerall Examinations, Confeſsions, and voluntarie Declarations as well of themſelues, as of ſome of their dead confederates, they were all by the Verdict of the Iury found Guilty of the Treaſons conteined in their Indictment, and then being ſeuerally asked, what they could ſay, wherefore Iudgement of death ſhould not be pronounced againſt them; There was not one of theſe (except *Rookewood*) who would make any continued Speech either in defence or extenuation of the Fact. *Thomas Winter* onely deſired that he might be Hanged both for his brother and himſelfe. *Guy Fawkes* being asked why hee pleaded Not Guiltie, hauing nothing to ſay for his excuſe, anſwered

that

that he had so done in respect of certaine conferences mentioned in the Indictment, which he said that hee knew not of: which were answered to haue beene set downe according to course of Law, as necessarily presupposed before the resolution of such a designe. *Keyes* said that his estate and fortunes were desperate, and as good now as an other time, and for this cause rather then for an other. *Bates* craued mercie. *Robert Winter* mercie. *Iohn Grant* was a good while mute, yet after submissely said, hee was Guiltie of a Conspiracie intended, but neuer effected. But *Ambrose Rookewood* first excused his deniall of the Indictment, for that he had rather loose his life then giue it. Then did hee acknowledge his offence to be so hainous that hee iustly deserued the indignation of the King, and of the Lords, and the hatred of the whole Common wealth, yet could he not despaire of mercie at the hands of a Prince, so abounding in Grace and Mercie. And the rather, because his Offence, though it were incapable of any excuse, yet not altogether incapable of some extenuation, in that he had beene neither Author nor Actor, but onely perswaded and drawen

in

in by *Catesby*, whome hee loued aboue any worldly man: And that he had concealed it not for any malice to the person of the King or to the State, or for any ambitious respect of his owne, but onely drawen with the tender respect, and the faithfull and deare affection he bare to M. *Catesby* his friend, whome he esteemed more dearer then any thing else in the world. And this mercie he desired not for any feare of the image of Death, but for griefe that so shamefull a death should leaue so perpetuall a blemish and blot vnto all Ages vpon his name and blood. But howsoeuer that this was his first Offence, yet he humbly submitted himselfe to the mercie of the King, and praied that the King would herein imitate GOD, who sometimes doeth punish *Corporaliter*, *non mortaliter*, corporally yet not mortally.

Then was related how that on the Friday immediatly before this Arraignment, *Robert Winter* hauing found opportunitie to haue conference with *Fawlkes* in the Towre, in regard of the neerenesse of their Lodgings, should say to *Fawlkes*, as *Robert Winter* and *Fawlkes* confessed, That hee and *Catesby* had

ſonnes, and that boyes would bee men, and that he hoped they would reuenge the cauſe: Nay, that GOD would raiſe vp children to *Abraham* out of ſtones. Alſo that they vvere ſorie, that no body did ſet forth a Defence or Apologie of their Action, but yet they vvould maintaine the cauſe at their deaths.

Here alſo vvas reported *Robert Winters* Dreame, vvhich hee had before the blaſting vvith Povvder in *Littletons* houſe, and vvhich hee himſelfe confeſſed and firſt notified, *viz.* That hee thought hee ſavv Steeples ſtand avvrie, and vvithin thoſe Churches ſtraunge and vnknovvn faces. And after, vvhen the foreſaid blaſt had the day following ſcorched diuers of the Confederates, and much diſfigured the faces and countenances of *Grant*, *Rookevvood*, and others; then did *Winter* call to minde his Dreame, and to his remembrance thought, that the faces of his aſſociates ſo ſcorched reſembled thoſe, vvhich hee had ſeene in his Dreame. And thus much concerning the former Indictment.

S. Euerard Digby indicted.

Then was Sir *Euerard Digby* Arraigned, and after his Indictment was read, wherein he was charged, not onely to haue beene ac-

Looke the Indictment.

quainted

quainted with the powder Treaſon, and concealed it, and taken the double oath of ſecrecie & conſtancie therein, but likewiſe to haue beene an actour in this Conſpiracie; and laſtly to haue expoſed, and openly ſhewed himſelfe in the Rebellion in the countrie amongſt the reſt of the Traitors. All which after he had attentiuely heard and marked, knowing that he had freely confeſſed it, & the ſtrength and euidence of the proofes againſt him, and conuicted with the teſtimony of his own conſcience, ſhewed his diſpoſition to confeſſe the principall part of the ſaid Indictment, and ſo began to enter into a diſcourſe. But being aduertiſed that he muſt firſt plead to the Indictment directly, either Guiltie, or Not guiltie, and that afterwards hee ſhould be licenſed to ſpeake his pleaſure, hee forthwith confeſſed the Treaſon contained in the Indictment, and ſo fell into a ſpeech, whereof there were two parts, *viz.* Motiues and Petitions. The firſt Motiue which drew him into this action was not ambition or diſcontentment of his eſtate, neither malice to any in Parliament, but the friendſhip and loue hee bare to *Cateſby*, which preuailed ſo much, and was ſo

S. Euerard Digbies ſpeech.

powerfull with him, as that for his ſake hee was euer contented & ready to hazard himſelfe and his eſtate. The next Motiue, was the cauſe of Religion, which alone, ſeeing (as hee ſayd) it lay at the ſtake, hee entred into reſolution to neglect in that behalfe, his eſtate, his life, his name, his memorie, his poſteritie, and all worldly and earthly felicitie whatſoeuer, though he did vtterly extirpate, and extinguiſh all other hopes, for the reſtoring of the Catholike Religion in *England*. His third Motiue was, that promiſes were broken with the Catholikes. And laſtly, That they generally feared harder Lawes from this Parliament againſt Recuſants, as that Recuſants wiues, and women ſhould bee lyable to the mulct as well as their husbands, and men. And further, that it was ſuppoſed, that it ſhould be made a *Præmunire*, onely to be a Catholike.

His petitions were, That ſithens his offence was confined and contained within himſelfe, that the puniſhment alſo of the ſame might extend onely to himſelfe, and not be transferred either to his wife, children, ſiſters, or others: and therefore for his wife he humbly craued,

craued, that ſhee might enioy her Ioincture, his ſonne the benefite of an Entaile made long before any thought of this Action; his ſiſters, their iuſt and due portions which were in his hands; his creditours, their rightfull debts, which that hee might more iuſtly ſet downe vnder his hand, he requeſted that before his death, his man (who was better acquainted both with the men and the particulars then himſelfe) might be licenſed to come vnto him: Then prayed hee pardon of the King and Ll. for his guilt: and laſtly hee entreated to be beheaded, deſiring all men to forgiue him, and that his death might ſatisfie them for his treſpaſſe.

To this Speech foorthwith anſwered Sir *Edw. Coke* Atturney generall, but in reſpect of the time (for it grew now darke) very briefly: 1. For his friendſhip with *Catesby*, that it was meere folly and wicked conſpiracie: 2. His religion, error, and hereſie: 3. His promiſes, idle and vaine preſumptions, as alſo his feares falſe-alarmes. Concerning wiues that were Recuſants, if they were knowen ſo to bee before their husbands (though they were good Proteſtants) tooke them, and yet M. *Atturney.*

for outward and worldly reſpects whatſoeuer, any would match with ſuch, great reaſon there is, that he or they ſhoyld pay for it, as knowing the penaltie and burthen before; for *volenti & ſcienti non fit Iniuria*: No man receiues iniury in that, to which hee willingly and knowingly agreeth and conſenteth. But if ſhee were no Recuſant at the time of mariage, and yet afterwards he ſuffer her to bee corrupted and ſeduced, by admitting Prieſts and Romaniſts into his houſe, good reaſon likewiſe that hee, be he Papiſt or Proteſtant, ſhould pay for his negligence and miſgouernment.

4. Concerning the Petitions for wife, for children, for ſiſters, &c. O how he doth now put on the bowels of Nature and compaſsion in the perill of his priuate and domeſticall eſtate! But before, when the publique State of his Country, when the King, the Queene, the tender Princes, the Nobles, the whole Kingdome were deſigned to a perpetuall deſtruction, Where was then this pietie, this religious affection, this care? All nature, all humanitie, all reſpect of Lawes both diuine and humane, were quite abandoned; then

was there no conſcience made to extirpate the whole Nation, and all for a pretended zeale to the Catholique Religion, and the Iuſtification of ſo deteſtable and damnable a Fact.

Here did Sir *Euerard Digbie* interrupt M. Atturney; and ſaid that hee did not iuſtifie the fact, but confeſſed that hee deſerued the vileſt death, & moſt ſeuere puniſhment that might be: But he was an humble petitioner for mercie, and ſome moderation of Iuſtice. Whereupon M. Atturney replyed, that hee ſhould not looke by the King to be honoured in the manner of his death, hauing ſo farre abandoned all Religion and humanitie in his action: But that hee was rather to admire the great moderation and mercie of the King, in that for ſo exorbitant a crime, no new torture anſwerable thereunto was deuiſed to bee inflicted vpon him. And for his wife and children, whereas hee ſaid that for the Catholike cauſe, he was content to neglect the ruine of himſelfe, his wife, his eſtate, and all; hee ſhould haue his deſire as it is in the Pſalme: *Let his wife bee a Widow and his children Vagabonds, let his poſteritie bee deſtroyed, and in the*

next

next generation let his name be quite put out. For the paying of your Creditors, It is equall and iuſt; but yet fit the King bee firſt ſatisfied and paid, to whom you owe ſo much, as that all you haue is too little, yet theſe things muſt be left to the pleaſure of his Maieſtie, and the courſe of Iuſtice and Law.

My

the late Traitors.

My L. of Northamptons *Speech as it was taken at the Arraignement of Sir Euerard Digby, by T. S.*

YOu muſt not hold it ſtrange, Sir *Euerard Digby*, though at this time, being preſſed in duty, conſcience and trueth, I do not ſuffer you to wander in the Labyrinth of your owne idle conceits without oppoſition, to ſeduce others, as your ſelfe haue beene ſeduced, by falſe Principles, or to conuey your ſelfe by charmes of imputation, by clouds of errour, and by ſhifts of lately deuiſed *Equiuocation* out of that ſtreight wherein your late ſecure and happy fortune hath been vnluckily entangled, but yet iuſtly ſurpriſed by the rage & reuenge of your owne raſh humors. If in this crime (more horrible then any man is able to expreſſe) I could lament the eſtate of any perſon vpon earth, I could pity you; but thanke your ſelfe and your bad counſellours for leading you into a Crime of ſuch a kinde, as no leſſe benummeth in all faithfull, true and honeſt men the tenderneſſe of affection, then it did in you, the ſenſe of all humanitie.

That you were once wel thought of and eſteemed by the late Queene, I can witneſſe, hauing

heard her ſpeake of you with that grace, which might haue encouraged a true gentleman to haue runne a better courſe: Nay I will adde further, that there was a time wherein you were as well affected to the King our Maſters expectation, though perhaps vpon falſe rumours and reports, that he would haue yeelded ſatisfaction to your vnprobable and vaſt deſires: but the ſeede that wanted moiſture (as our Sauiour himſelfe reporteth) tooke no deepe roote: that zeale which hath no other end or obiect then the pleaſing of it ſelfe, is quickly ſpent: and *Traian* that worthy and wiſe Emperour had reaſon to hold himſelfe diſcharged of all debts to thoſe that had offended more by preuarication, then they could euer deſerue by induſtrie.

The grace and goodneſſe of his Maieſtie in giuing honor at his firſt comming vnto many men of your owne affection, and (as I thinke) vnto your ſelfe; his facilitie in admitting all without diſtinction of *Troian* or of *Tyrian*, to his Royall preſence, vpon iuſt occaſions of acceſſe; his integritie in ſetting open the gate of ciuill Iuſtice vnto all his Subiects equally and indifferently, with many other fauours that ſucceeded by the progreſsion of Peace, are ſo palpable and euident to all men, that haue either eyes of vnderſtanding, or vnderſtanding of capacitie, as your ſelfe and many others haue beene driuen of late to excuſe and countenance your execrable ingratitude with a falſe and ſcandalous report of ſome further

ther hope and comfort yeelded to the Catholicks for Toleration or conniuencie, before his comming to the Crowne, then ſince hath beene performed, made good or ſatisfied.

I am not ignorant, that this ſeditious and falſe alarme hath awaked and incited many working ſpirits to the preiudice of the preſent State, that might otherwiſe haue ſlept as before with ſilence and ſufferance: it hath ſerued for a ſhield of waxe againſt a ſword of power: it hath been vſed as an Inſtrument of Arte to ſhadow falſe approches, till the *Troian* horſe might be brought within the walles of the Parliament, with a belly ſtuffed, not as in olde time with armed *Greekes*, but with helliſh Gunpowder. But howſoeuer God had blinded you and other in this Action, as hee did the King of *Egypt* and his Inſtruments, for the brighter euidence of his owne powerfull glory; yet euery man of vnderſtanding could diſcerne, that a Prince whoſe Iudgement had bene fixed by experience of ſo many yeeres vpon the Poles of the North and the South, could not ſhrinke vpon the ſuddaine: no nor ſince with feare of that combuſtion which *Catesby* that Archtraitor, like a ſecond *Phaeton*, would haue cauſed in an inſtant in all the Elements. His Maieſty did neuer value fortunes of the world, in leſſer matter then Religion, with the freedome of his thoughts: he thought it no ſafe policie, (profeſsing as hee did and euer will) to call vp more ſpirits into the circle then he could put downe againe: he knewe,

that *omne regnum in ſe diuiſum deſolabitur*. Philoſophie doeth teach, that whatſoeuer any man may thinke in ſecret thought, that where one doeth holde of *Cephas*, another of *Apollo*, openly diſſenſion enſues, *Quod inſitum alteno ſolo eſt, in id quo alitur natura vertente degenerat*: and the world will euer apprehend, that *Quorum eſt commune ſymbolum, facilimus eſt tranſitus*.

Touching the point it ſelfe of promiſing a kinde of Toleration to Catholiques, as it was diuulged by theſe two limbes of *Lucifer*, *Watſon* and *Percie*, to raiſe a ground of practiſe and conſpiracie againſt the State and perſon of our deere Souereigne: let the Kingdome of *Scotland* witneſſe for the ſpace of ſo many yeeres before his comming hither, whether either flattery or feare, (no not vpon that enterpriſe of the 17. of Nouember, which would haue put the patience of any Prince in EVROPE to his proofe) could draw from the King the leaſt inclination to this diſpenſatiue indifference, that was onely beleeued becauſe it was eagerly deſired.

Euery man doth know how great arte was vſed, what ſtrong wits ſublimed, and how many Miniſters ſuborned and corrupted many yeeres both in *Scotland* and in forraine parts, to ſet the Kings teeth an edge, with faire promiſes of future helps and ſupplies to that happy end of attaining his due right in *England*, when the Sunne ſhould ſet to riſe more glorioufly in the ſame *Hemiſphere*, to the wonder both of this Iland & of the world.

But

But all in vaine: for *iacta erat alea*, the Kings compaſſe had bin ſet before, and by a more certaine rule: and they were commonly caſt off as forlorne hopes in the Kings fauour, that ranne a courſe of ranking themſelues in the foremoſt front of forraine correſpondencie.

Vpon notice giuen to his Maieſtie from hence ſome yeeres before the death of the late Queene, that many men were grõwen ſuſpitious of his Religion, by rumors ſpread abroad, that ſome of thoſe in forraine parts, that ſeemed to be well affected to his future expectation had vſed his name more audaciouſly, and ſpoken of his fauour to the Catholiques, more forwardly then the Kings owne conſcience and vnchangeable decree could acknowledge or admit (either with a purpoſe to prepare the minds of Forraine Princes, or for a practiſe to eſtrange and alienate affections at home) not onely vtterly renounced and condemned theſe encrochments of blinde zeale and raſh proceedings by the voices of his owne Miniſters, but was carefull alſo for a caution to ſucceeding hopes, ſo farre as lay in him, that by the diſgrace of the delinquents in this kinde, the minds of all Engliſh Subiects chiefly might be ſecured, and the world ſatisfied.

No man can ſpeake in this caſe more cõfidently then my ſelfe, that receiued in the Queenes time for the ſpace of many yeeres, directions and warnings to take heed, that neither any further comfort might be giuen to Catholiques concer-

ning future fauours then he did intend, which was to binde al Subiects in one Kingdome to one Law, concerning the Religion eſtabliſhed, howſoeuer in Ciuill matters he might extend his fauour as he found iuſt cauſe; Nor any ſeeds of Ielouſie and diffidence ſowen in the minds of Proteſtants by *Semeis* and *Achitophels*, to make them doubtfull of his conſtancie, to whom hee would confirme with his deareſt blood that faith which he had ſucked from the breaſt of his nurſe, apprehended from the cradle of his infancie, and maintained with his vttermoſt endeuour, affection and ſtrength, ſince he was more able out of reading and diſputing, to giue a reaſon of thoſe principles which he had now digeſted and turned to nutriment.

He that wrote the Booke of Titles before the late Queenes death, declares abundantly by ſeeking to poſſeſſe ſome forrain Prince of the Kings hereditary Crownes, whē the cauſe ſhould come to the proofe, and may witneſſe in ſtead of many, what hope there was of the Kings fauour or affection to *Catholicks* in the caſe of Toleration or diſpenſation with exerciſe of conſcience. For euery man may geſſe that it was no ſleight or ordinary degree of deſpaire, that made him and other of his ſuite renounce their portion in the ſonne and heire of that renowned and rare Lady *Mary* Queene of *Scotland*, a member of the Romane Church, as ſome did in *Dauid*, *Nulla nobis pars in* Dauid, *nec hæreditas in filio Iſai*: For hereof by

by letters intercepted in their paſſage into *Scotland*, the Records and proofes are euident. His Maieſtie, ſo long as he was in expectation of that which by the worke and grace of God he doeth now poſſeſſe, did euer ſeeke to ſettle his eſtabliſhment vpon the faith of *Proteſtants* in generalitie, as the moſt aſſured ſhoote Anchre. For though he found a number on the other ſide, as faithfull and as well affected to his Perſon, Claime and Intereſt, as any men aliue, aſwell in reſpect of their dependencie vpon the Queene his mother, as for the taſt which they had of the ſweetneſſe of himſelfe: yet finding with what ſtrength of blood many haue bene ouer-caried out of a feruencie in zeale in former times, obſeruing to what cenſures they were ſubiect, both in points of Faith, and limitation of Loyaltie; And laſt of all, forecaſting to what end their former proteſtation would come, when preſent ſatisfaction ſhould ſhrinke; he was euer fearefull to embarke himſelfe for any further voyage and aduenture in this Streight, then his owne Compaſſe might ſteare him, and his Iudgement leuell him.

If any one greene leafe for Catholiques could haue bene viſibly diſcerned by the eye of *Catesby*, *Winter*, *Garnet*, *Faux*, &c. they would neither haue entred into practiſe with forraine Princes during the Queenes time for preuention of the Kings lawful & Hereditarie Right, nor haue renued the ſame both abroad & at home by miſsions & combinations after his Maieſtie was both applauded and entered. It

It is true that by confeſsions we finde, that falſe Prieſt *Watſon*, and Arch-traytour *Percy*, to haue bin the firſt deuiſers and diuulgers of this ſcandalous report, as an accurſed ground, whereon they might with ſome aduantage, as it was conceiued, build the Caſtles of their Conſpiracie.

Touching the firſt, no man can ſpeake more ſoundly to the poynt then my ſelfe: for being ſent into the priſon by the King to charge him with this falſe *Alarum*, only two daies before his death, and vpon his ſoule to preſſe him in the preſence of God, and as hee would anſwere it at another bar, to confeſſe directly whether at either of both theſe times he had acceſſe vnto his Maieſtie at *Edinborough*, his Maieſtie did giue him any promiſe, hope or comfort of encouragement to Catholiques concerning Toleration; He did there proteſt vpon his ſoule that he could neuer winne one ynch of ground, or drawe the ſmalleſt comfort from the King in thoſe degrees, nor further then that he would haue thē apprehend, that as he was a Stranger to this State, ſo till he vnderſtood in all poynts how thoſe matters ſtood, hee would not promiſe fauour any way, but did proteſt that all the Crownes & Kingdomes in this world, ſhould not induce him to change any iote of his Profeſsion which was the paſture of his ſoule, & earneſt of his eternall inheritance: Hee did confeſſe that in very deede, to keepe vp the hearts of Catholiques in loue and duety to the King, hee had imparted the Kings wordes to many in a better tune and a higher

higher kinde of deſcant, then his booke of plaine ſong did direct: becauſe hee knewe that others like ſlie Bargemen looked that way, when their ſtroke was bent another way. For this he craued pardon of the King in humble maner, and for his maine treaſons of a higher nature then theſe figures of hypocriſie, and ſeemed penitent aſwell for the horrour of his crime, as for the falſhood of his whiſperings.

It hindered not the ſatisfaction which may be giuen to *Percies* ſhadow (the moſt deſperate *boute-few* in the pack) that as he died impenitent, for any thing we know, ſo likewiſe hee died ſilent in the particulars. For firſt, it is not ſtrange that ſuch a traitour ſhould deuiſe ſo ſcandalous a ſlander out of the malice of his heart, intending to deſtroy the King by any meanes, and to aduance all meanes that might remooue obſtructions and impediments to the plot of Gunpowder. The more odious that he could make him to the partie malecontent, and the more ſharply that hee could ſet the partie malecontent vpon the point and humour of reuenge, the ſtronger was his hope at the giuing of the laſt blow, to be glorified and iuſtified. But touching the trueth of the matters, it will be witneſſed by many, that this traitor *Percy* after both the firſt and ſecond returne from the King, brought to the Catholiques no ſparke of comfort, of encouragement, of hope: whereof no ſtronger proofe of argument doeth need, then that *Fawkes* and others were imploy-

ed both into *Spaine* and other parts, for the reuiuing of a practise suspended and couered, after *Percyes* comming backe, as in likelihood they should not haue beene, in case hee had returned with a branch of oliue in his mouth, or yeelded any ground of comfort to resolue vpon.

Therefore I thought it thus farre needfull to proceede for the clearing of those scandals that were cast abroad by these forlorne hopes and graceleſſe Instruments. It onely remaines that I pray for your repentance in this world for the satisfaction of many, and forgiueneſſe in the next world for the sauing of your selfe, hauing had by the Kings fauour so long a time to cast vp your Accompt, before your appearance at the seate of the great Auditor.

H. Northampton.

The Earle of *Salisbury.*

THen spake the Earle of *Salisbury*, especially to that point of his Maiesties breaking of promise with Recusants, which was vsed & vrged by Sir *Euerard Digby*, as a motiue to draw him to participate in this so hideous a Treason. Wherein his L. after acknowledgement that Sir *Euerard Digby* was his ally, and hauing made a zealous, and Religious protestation concerning the sincerity and trueth of that which he would deliuer; shortly and clearely defended the

Honour

Honour of the King herein, and freed his Maiesty from all Imputation and ſcandale of Irreſolution in Religion, and in the conſtant and perpetuall maintaining thereof; as alſo from hauing at any time giuen the leaſt hope, much leſſe promiſe of Toleration. To which purpoſe hee declared how his Maiesty as well before his comming to this Crowne, as at that very time, and alwayes ſince was ſo farre from making of promiſe or giuing hope of Toleration, that hee euer profeſſed hee ſhould not endure the very motion thereof from any.

And here his Lordſhip ſhewed what was done at *Hampton* Court at the time of *Watſons* Treaſon, where ſome of the greateſt Recuſants were conuented, and being found then not to haue their fingers in Treaſon, were ſent away againe with encouragement to perſiſt in their dutifull carriage, and with promiſe onely of thus much fauour, That thoſe meane profits which had accurred ſince the Kings time to his Maieſtie for their Recuſancie, ſhould be forgiuen to the principall Gentlemen, who had both at his Entry ſhewed ſo much Loyaltie, and had kept themſelues

ſelues ſo free ſince from all Conſpiracies.

Then did his Lordſhip alſo (the rather to ſhew how little trueth Sir *Everard Digbyes* words did carry in any thing which hee had ſpoken) plainely prooue, that all his proteſtations wherein he denyed ſo conſtantly to be priuie to the plot of Powder, were vtterly falſe, by the teſtimonie of *Fawkes* (there preſent at the Barre) who had confeſſed, that certaine moneths before that Seſsion the ſaid *Fawkes* being with *Digby* at his houſe in the Countrey, about what time there had fallen much wet, *Digby* taking *Fawkes* aſide after ſupper told him, that he was much afraid that the Powder in the Cellar was growen danke, and that ſome new muſt bee prouided, leſt that ſhould not take fire.

Next, the ſaid Earle did iuſtly and greatly commend the L. *Mounteagle* for his Loyall and Honorable care of his Prince and Countrey, in the ſpeedy bringing forth of the Letter ſent vnto him; wherein he ſayd, that hee had ſhewed both his diſcretion and fidelitie. Which Speech being ended, *Digby* then acknowledged, that hee ſpake not that of the breach of promiſe out of his owne knowledge,

ledge, but from their Relation whom he truſted, and namely from Sir *Tho. Treſham.*

NOw were the Iurie returned, who hauing deliuered their Verdict, whereby they ioyntly found thoſe ſeuen priſoners Arraigned vpon the former Indictment, Guiltie, Serieant *Philips* craued Iudgement againſt thoſe ſeuen vpon their Conuiction, and againſt Sir *Euerard Digby* vpon his owne Confeſsion.

Then the L. chiefe Iuſtice of England, after a graue and prudent Relation and Defence of the Lawes made by Q. ELIZABETH againſt Recuſants, Prieſts, and receiuers of Prieſts, together with the ſeuerall occaſions, progreſſes and reaſons of the ſame; and hauing plainly demonſtrated and prooued that they were all neceſſary, milde, equall, moderate, and to be iuſtified to all the world, pronounced Iudgement.

Vpon the riſing of the Court, Sir *Euerard Digby* bowing himſelfe toward the Lords, ſayd, If I may but heare any of your Lordſhips ſay, you forgiue mee, I ſhall goe more cheerefully to the Gallowes. Whereunto

the Lords sayd, God forgiue you, and wee doe.

And so according to the Sentence, on Thursday following execution was done vpon Sir *Everard Digby*, *Robert Winter*, *Iohn Graunt*, and *Thomas Bates*, at the West end of *Paules* Church: and on the Friday following, vpon *Thomas Winter*, *Ambrose Rookewood*, *Robert Keyes*, and *Guy Fawkes* within the olde Palace yard at *Westminster* not farre from the Parliament House.

THE

THE ARRAIGNMENT OF HENRY *Garnet* Superior of the *Jesuits* in England, On Friday, the 28. day of March 1606. at *Guildhall* in the Citie of *London*, Before the Lords Commissioners there present.

Sir Leonard Holiday L. Maior.
The Earle of Nottingham.
The Earle of Suffolke.
The Earle of Worcester.
The Earle of Northampton.
The Earle of Salisbury.
The L. chiefe Iustice of England.
The L. chief Baron of th'exchequer.
Sir Christopher Yelverton Knight, one of his Maiesties Iustices of the Kings Bench.

THE

¶ The ſubſtance and effect of the *Inditement of Henry Garnet Superiour of the Ieſuits in England*, appeareth before in the Relation of the former Arraignment, *and therefore vnneceſſary to be repeated againe; Which Inditement was ſummarily and effectually repeated by ſir* Iohn Croke *Knight, his Maieſties Sergeant at Lawe, In this maner.*

THis perſon and Priſoner here at the Barre, this place, and this preſent occaſion & Action doe proue that true, which the Author of all Trueth hath told vs, That, *Nihil eſt occultum quod non manifeſtabitur, & nihil eſt ſecretum, quod non reuelabitur & in palam veniet*, There is nothing hid that ſhall not be made manifeſt, there is nothing ſecret that ſhall not be reueiled and come in publique; And that God by whom Kings doe raigne, *Conſilium prauorum diſſipat*, doeth ſcatter and bring to nought the counſell of the wicked.

That he ſpake with feare and trembling, and with horror and amazednesse, againſt that rotten roote of that hideous and hateſull tree of Treaſon, and of that deteſtable, and vnheard of wickednes, he did craue pardon for it; affirming that no fleſh could mention it without aſtoniſhment.

He

He shewed that *Henry Garnet* of the profession of the Iesuits, otherwise *Walley*, otherwise *Darcy*, otherwise *Roberts*, otherwise *Farmer*, otherwise *Philips* (for by all those names he called himselfe) stood indicted of the most barbarous and damnable Treasons, the like whereof were neuer heard of, That hee was a man *Multorum Nominum*, but not *boni Nominis*, of many names, as appeared by the Indictment, but of no good Name, adorned by God and nature with many gifts and graces, if the Grace of God had bene ioyned with them; But that wanting, *quanto ornatior* in other gifts, *tanto nequior*.

That this *Garnet* (his Maiestie summoning his Parliament to bee holden at *Westminster*, the 19. of March, in the first yeere of his Reigne, and by diuers prorogations continuing it til the third of October last) together with *Catesby* lately slaine in open Rebellion, and with *Oswald Tesmond* a *Iesuit*, otherwise *Oswald Greenwell*, as a false Traitor against the most mighty, & most renowned King our soueraigne Lord King IAMES, the 9. of Iune last, traiterously did conspire and compasse,

To depose the King and to deprive him of his gouernment,

To destroy and kill the King, and the noble Prince *Henry* his eldest Sonne: Such a King and such a Prince, such a Sonne of such a Father, whose vertues are rather with amazed silence to be woondred at, then able by any speech to be expressed.

To ſtirre ſedition and ſlaughter throughout the kingdome.

To ſubuert the true Religion of God, and whole gouernment of the kingdome.

To ouerthrowe the whole State of the Common wealth.

The manner how to performe theſe horrible treaſons, the Serieant ſayd *Horreo dicere*, his lips did tremble to ſpeak it, but his heart praiſed God for his mightie deliuerance. The practiſe ſo inhumane, ſo barbarous, ſo damnable, ſo deteſtable, as the like was neuer read nor heard of, or euer entred into the heart of the moſt wicked man to imagine. And here he ſaid he could not but mention that religious obſeruation ſo religiouſly obſerued by his Religious Maieſtie, wiſhing it were ingrauen in letters of gold in the hearts of all his people, *The more helliſh the Imagination, the more Diuine the Preſeruation.*

This *Garnet* together with *Catesby* and *Tesmond* had ſpeech and coference together of theſe treaſons, and concluded moſt traiterouſly, and deuiliſhly,

That *Catesby*, *Winter*, *Fawkes* with many other Traitours lately attainted of high treaſon, would blowe vp with Gun-powder in the Parliament houſe, the King, the Prince, the Lls. Spirituall and Temporall, the Iudges of the Realme, the Knights, Citizens and Burgeſſes, and many other ſubiects and ſeruants of the King aſſembled in Parliament at one Blow traiterouſly and deuiliſhly

liſhly to deſtroy them al, and piece meale to teare them in ſunder, without reſpect of Maieſty, Dignity, Degree, Age or Place.

And for that purpoſe great quantitie of Gunpowder was traiterouſly and ſecretly placed, and hid by theſe Conſpirators vnder the Parliament houſe.

This being the ſubſtance and the effect of the Indictment, *Garnet* did plead Not guilty to it: and a very diſcreet and Subſtantiall Iurie, with allowance of challenges vnto the priſoner, were ſworn at the Barre for the triall of him.

To whome the Serieant ſhewed that they ſhould haue euidences to proue him guiltie, that ſhould bee *Luce clariores*, that euery man might read them running.

They ſhould haue *Teſtimonia Rerum*, and *Loquentia ſigna*, witneſſes and Teſtimonies of the things themſelues.

Reum confitentem, or rather, *Reos confitentes & accuſantes inuicem.*

That euery one may ſay vnto him, *Serue nequam*, thou wicked ſubiect, thou wicked ſeruant, *Ex ore tuo te iudico*, Of thine owne mouth I iudge thee, of thine owne mouth I condemne thee.

And this ſhall bee made ſo manifeſt by him that beſt can do it, as ſhall ſtop the mouth of all contradiction.

The effect of that which Sir *Edward Coke* Knight, his Maiesties Attourney generall, said at the Arraignement of *Henry Garnet* Superiour of the Iesuites in England, as neere to his owne words, as the same could be taken.

YOur Lordships may perceiue by the parts of the Indictment which haue beene succinctly opened, that this is but a latter Act of that heauy and wofull Tragedie, which is commonly called the Powder-treason, wherein some haue already plaied their parts, and according to their demerits suffered condigne punishment & paines of death. We are now to proceed against this prisoner for the same Treason, in which respect the necessary repetition of some things before spoken shall at the least seeme tollerable: for that *Nunquam nimis dicitur, quod nunquam satis dicitur*, It is neuer said too often, that can neuer

neuer be ſaid enough: Nay it may be thought iuſtifiable to repeate in this caſe, for that in reſpect of the confluence & acceſſe of people, at the former arraignment, many could not heare at that time. And yet becauſe I feare it would be tedious, for that moſt of all my Lordes Commiſsioners, and of this Honourable and great aſſembly were preſent at the Arraignement; And for that I am now to deale with a man of another qualitie; I will onely touch, and that very little of the former Diſcourſe or Euidence, and that little alſo ſhall be mingled with ſuch new matter, as ſhallbe worth the hearing, as being in deed of waight and moment, and all this with very great breuitie.

But before I further proceede to the opening of this ſo great a cauſe, I hold it fit and neceſſary to giue ſatisfaction to two diuers and aduerſe ſorts of men, who according to the diuers affections of their hearts, haue diuined and coniectured diuerſly of the cauſe of the procraſtination and delay of proceeding eſpecially againſt this perſon, the matter wherewith he ſtands charged being ſo tranſcendent and exorbitant as it is. The firſt ſort of theſe out of their heartie loue and loyaltie

to their naturall liege Lord and King, and to their deare countrey, and this ſtate haue feared the iſſue of this delay, leaſt that others might bee animated by ſuch protraction of iudgement, to perpetrate the like: for they ſay (and it is moſt true) *Quia non profertur citò contra malos ſententia, abſq; timore vllo filij hominum perpetrant mala*: Becauſe ſpeedie Iuſtice is not executed againſt wicked men, the people without all feare commit wickednes. And pittie it were that theſe good men ſhould not be ſatisfied. The other ſort are of thoſe, who in reſpect no greater expedition hath bin vſed againſt this priſoner at the Bar, fal to excuſing of him, as gathering theſe preſumptions and coniectures: Firſt, that if hee or any of the *Ieſuites* had indeed bin iuſtly to be touched with this moſt damnable & damned Treaſon, ſurely they ſhould haue beene brought forth and tryed before this time. Secondly, that there was a Bill exhibited in Parliament concerning this Treaſon, and this Traitor, but that it was deferred and proceeded not for want of iuſt & ſufficient proofes. Nay, thirdly there was a particular Apologie ſpread abroad for this man, and an other ge-

Eccleſ. 8. 11.

nerall

nerall for all *Iesuits* and *Priests*, together with this imputation, That King-killing, and Queene-killing was not indeed a doctrine of theirs, but onely a fiction and policie of our State, thereby to make the Popish religion to be despised and in disgrace. Now for these men, pittie it were that the eye of their vnderstanding should not be inlightned and cleered, that so being by demonstratiue and luculent proofes conuinced, they may bee to their Prince and Countrey truely conuerted. First therefore concerning the delay, (though it be true, *Quòd flagellatur in corde, qui laudatur in ore*) yet must I remember the great paines of my Lords the Commissioners of his Maiesties priuie Counsell in this cause. For *Garnet*, being first examined vpon the 13. of the last moneth, hath sithence beene againe examined and interrogated aboue 20. seuerall times; which lasted vnto the 26. of March within 2. daies of this Arraignement. Touchching the Bill in Parliament it was indeed exhibited before *Garnet* was apprehended: but his Maiesties gracious pleasure was, that albeit this Treason be without all president and example, yet they should quietly and equally be

indicted,

indicted, arraigned, publikely heard, and proceeded withall in a moderate, ordinarie, and iuſt courſe of Law. Concerning their Apologies, and the fictions of State (as they terme them) anſwere ſhall be made by Gods grace in the proper place, when I come to lay open the plots and practiſes of the *Ieſuits*, to the ſatisfaction of all this Honourable and great aſſembly. But firſt I haue an humble petition to preſent to your Lordſhips, and the reſt of this graue Auditorie for my ſelfe, in reſpect that I am neceſſarily to name great Princes, yet with proteſtation and caution, that no blot is intended to be laid vpon any of them. I know there is *Lex in ſermone tenenda*, A Law and Rule to be obſerued in ſpeaking, eſpecially in this kinde; And that Kings and great Princes, and the mighty men of this earth are to be reuerently and reſpectfully dealt withall. And therefore I humbly recommend vnto you theſe Conſiderations, concerning this point of mentioning forreine States. Firſt, that the Kingdomes were at thoſe times in open enmitie and hoſtilitie, and that might bee honourable at one time, which was not ſo at another: So that hoſtile actions were then

iuſtifiable

iuſtifiable and honourable, as being in times of hoſtilitie and warre. Secondly, in theſe thinges it is not the Kinges Attorney that ſpeakes, but *Garnet* the *Ieſuite*; As alſo that it proceedeth from an inevitable neceſſitie, for that the Examinations aſwell of this, as of the reſt of the Traitors, cannot otherwiſe bee opened and vrged againſt them: ſo is the mention of great men by the Impudencie of theſe wicked Traitors woven into their Confeſsions, as they cannot be ſeuered.

And with this comfort I conclude the preface, That I hope in God, this dayes worke, in the iudgement of ſo many as ſhal be attentiue and well diſpoſed, ſhall tend to the glory of Almighty God, the honour of our Religion, the ſafety of his moſt excellent Maieſtie and his royall Iſſue, and the ſecuritie of the whole common wealth.

For memorie and methode, all that I ſhall ſpeake may bee contracted to two generall heads: Firſt, I will conſider the offences, together with certaine circumſtances,

Precedent before the offence.
Concurrent with the offence.
Subſequent after the offence.

Secondly, I will lay downe ſome obſeruations concerning the ſame.

For the proper name of this offence, becauſe I muſt ſpeake of ſeuerall treaſons, for diſtinction & ſeparation of this from the other, I will name it the Ieſuites treaſon, as belonging to them both *ex congruo & condigno*. They were the proprietaries, plotters, and procurers of it: and in ſuch crimes *plus peccat author quam Actor*. The Author or procurer, offendeth more then the actor or executor, as may appeare by Gods owne Iudgement giuen againſt the firſt ſinne in Paradiſe, where the Serpent had three puniſhments inflicted vpō him, as the originall plotter: the woman two, being as the mediate procurer; and *Adam* but one, as the partie ſeduced.

Circumſtances precedent and ſubſequent ſo termed here, are indeed in their proper natures all high treaſons, but yet in reſpect of the magnitude, nay monſtrouſnes of this treaſon, may comparatiuely without any diſcountenance to them in this caſe be vſed as circumſtances. And becauſe I am to deale with the Superiour of the Ieſuites, I will onely touch ſuch treaſons, as haue bin plotted & wrought

by

by the Ieſuites, of whom this man was Superiour, and thoſe treaſons alſo ſithens his *Garnet* his comming into *England*, whereof hee may truely ſay, *Et quorum pars magna fui.*

The comming of this *Garnet* into *England*, (which very Act was a treaſon) was about 20. yeeres paſt, *viz.* in Iuly 1586. in the xxviij. yeere of the Raigne of the late Queene of famous and bleſſed memorie; whereas the yeere before, namely the 27. yeere of *Eliz.* there was a Statute made, whereby it was treaſon for anie who was made a Romiſh Prieſt by anie authoritie from the See of Rome, ſithens the firſt yeere of her Raigne, to come into her Dominions. Which Statute the Romaniſts calumniate as a bloody, cruell, vniuſt, and a new vpſtart Lawe, and abuſe that place of our Saviour, *O Ieruſalem, Ieruſalem, thou that killeſt the Prophets, and ſtoneſt them that are ſent vnto thee, &c.* to that purpoſe. But indeed it is both mild, mercifull and iuſt, and grounded vpon the ancient fundamentall Lawes of *England*. For (as hath already by the former Arraignements bene touched) before the Bull of *Impius Pius Quintus*, in the 13. yeere of the Queene, wherein her Maieſtie was excom-

Matth. 23. 37.

municated and depoſed, and all they accurſed, who ſhould yeeld any obedience vnto her &c. there were no Recuſants in *England*, all came to Church, (howſoeuer popiſhly inclined, or perſwaded in moſt points) to the ſame Diuine Seruice we now vſe: but there vpon preſently they refuſed to aſſemble in our Churches or ioyne with vs in publike Seruice, not for conſcience of any thing there done, againſt which they might iuſtly except out of the word of God, but becauſe the Pope had excommunicated and depoſed her Maieſtie, and curſed thoſe who ſhould obey her: and ſo vpon this Bull enſued open Rebellion in the North, and many Garboiles. But ſee the euent: Now moſt miſerable in reſpect of this Bull was the State of Romiſh Recuſants: for either they muſt be hanged for Treaſon, in reſiſting their lawfull Soueraigne, or curſed for yeelding the due obedience vnto her Maieſtie, and therefore of this Pope it was ſayd by ſome of his owne fauorites, that hee was *Homo pius & doctus, ſed nimis credulus*, A holy and a learned man, but ouer Credulous, For that he was informed and beleeued that the ſtrength of the Catholiques in England was

such, as was able to haue resisted the Queene. But when the Bull was found to take such an effect, then was there a dispensation giuen, both by *Pius quintus* himselfe, and *Gregorie* the 13. That all Catholikes here, might shew their outward obedience to the Queen, *ad redimendam vexationem, & ad ostendendam externam obedientiam*, but with these Cautions and limitations; 1. *Rebus sic stantibus*, things so standing as they did. 2. *Donec publica Bullæ executio fieri posset*; that is to say, They might grow into strength, vntill they were able to giue the Queene a Mate, that the publike execution of the said Bull might take place; And all this was confessed by *Garnet* vnder his owne hand, and now againe openly confessed at the Barre.

In the 20. yeere of Queene *Elizabeth*, came *Campion* the Iesuit and many others of his profession with him, purposely to make a partie in *England* for the Catholike cause, to the ende that the Bull of *Pius Quintus* might bee put in execution. And though all this while Recusancie, being grounded vpon such a disloyall Cause, were a very dangerous and disloyall thing, yet was there no Lawe made in

that behalfe vntill the 23. yeere of her Maiesties Raigne, And that also imposing onely a Mulcte or penaltie vpon it, vntill conformitie were offered and shewed. *Anno* 26. *Eliz.* came *Parry* with a resolution from Cardinall *de Como* and others, that it was lawfull to kill her Maiestie, as being excommunicated and deposed: Whereupon her Maiestie entring into consultation how (together with her safetie and the protection of her Subiects) she might auoyd the imminent dangers, and yet draw no blood from these Priests and Iesuits, found out this moderate and milde Course, as the best meanes to prohibite their comming at all into her land, there neuer being any King who would endure, or not execute any such persons, within their Dominions, as should deny him to be lawfull King, or goe about to withdraw his Subiects from his allegiance, or incite them to resist or rebell against him. Nay the bringing in of a Bull by a Subiect of this Realme against another, in the time of *Edw.* the first, was adiudged Treason. But by the way, for that *Garnet* hath exclaimed, saying, Shew vs where was your Church before *Luther*, designe the place,

name

name the persons and so forth, it is answered by a comparison of a wedge of pure Gold, which coming into the hands of Impostors, is by their sophistications and mixtures, for gaine and worldly respects, increased and augmented into a huge body and Masse, and retaining still an outward faire shew, & tincture of Gold: Where is now the pure Gold saith one, shew me the place: I answer, In that Masse, but for the extracting thereof, and purifying it from drosse, that must bee done by the Art of the Workeman, and the triall of the Touchstone. So the true Religion and Service of Almightie God, being for humane respects, and worldly pompe, mixed and ouerladen with a number of superstitious Ceremonies and Inuentions of man, yet euer had God his true Church holding his trueth, which hath bene by skilfull Workemen with the Touchstone of the Word of God refined and separate from the Drosse of mans Inuentions.

But to proceed. In the 28. yeere of Queene *Elizabeth*, being the yeere of our Lord 86. in June came *Garnet* into England breaking through the wall of Treason, being in trueth

Totus compositus ex proditione. And this was at that time, when the Great Armado of *Spaine*, which the Pope blessed and Christned by the name of, *The inuincible Nauie*, was by the instigation of that high Priest of *Rome*, preparing and collecting together of many parcels, out of diuers parts, where they could be bought, or hired, or borrowed, and therefore may be called, a compounded Nauie, hauing in it 158. great Ships. The Purueyors, and forerunners of this Nauie and Inuasion, were the Iesuites, and *Garnet* among them being a Traitor, euen in his very entrance and footing in the Land. But the Queene with her owne Ships, and her owne Subiects did beate this Armado, GOD himselfe (whose cause indeede it was) fighting for vs against them, by Fire, and Seas, and Windes, and Rockes, and tempests, scattering all, and destroying most of them. For *offenso Creatore, offenditur omnis Creatura*, the Creator being offended, euery creature is readily armed to reuenge his quarrell, in which respect hee is called the Lord of hostes. So that of 158. scarse 40. of their Ships returned to their Bar of their owne Hauen, and as it is reported,

moſt of them alſo periſhed, in ſo much, that in this reſpect, we may ſay of Queene *Elizabeth*, as the Poet writeth of the Chriſtian Emperour, *O nimium dilecta Deo, cui militat æther,*
Et coniurati veniunt ad claſsica venti.

Obſerue here, that about the time of this Inuaſion, there being in *Spaine* met in Conſultation about that buſineſſe, the Cardinall of *Auſtria*, the Duke of *Medina*, Count *Fuentes*, two Iriſh Biſhops, with ſundry Militarie men, and amongſt others *Winſlade* an Engliſh man; The Iriſh Biſhops perceiuing that they expected a partie of Catholikes in England, reſolued that true it was, that it was not poſsible to doe any good here in England, vnleſſe there were a partie of Catholikes made before hand. But ſuch ſaid they, was the Policie of England, as that could neuer be effected: For if any ſuſpition or feare aroſe, the Catholikes ſhould quickly bee either ſhut vp, or quite cut off. Oh ſaith an olde Souldier there preſent, *Hoc facit pro nobis*, that makes for vs: for by that meanes their ſoules ſhall goe to heauen for their Religion, their bodies to the earth for their Treaſon, and their lands and goods to vs as Conquerours: and

this was that indeede they principally aymed at, Note here, that ſithence the Ieſuites ſet foote in this Land, there neuer paſſed foure yeeres without ſome peſtilent and pernicious Treaſon, tending to the ſubuerſion of the whole State. After that hoſtile Inuaſion in 88. the Ieſuites fell againe to ſecret and Treaſonable practiſes: For then, in the yeere 92. came *Patricke Cullen*, who was incited by Sir *William Stanly*, *Hugh Owen*, *Iaques Fraunces*, and *Holt* the Ieſuite, and reſolued by the ſaid *Holt* to kill the Queene, to which purpoſe he receiued abſolution, and then the Sacrament at the hands of the ſaid Ieſuite, together with this ghoſtly counſell, that it was both lawfull and meritorious to kill her. Nay ſaid *Iaques*, that baſe Laundreſſe ſonne, (who was a continuall practiſer both with this *Cullen* and others, to deſtroy her Maieſtie) The State of *England* is and will bee ſo ſetled, that vnleſſe *Miſtris* ELIZABETH be ſuddenly taken away, all the Deuils in Hell will not be able to preuaile againſt it, or ſhake it.

Now *Cullens* Treaſon was accompanied with a Booke called *Philopater*, written for the abetting and warranting of ſuch a deuiliſh

acte

act in generall by *Creswell* the legier Iesuite in *Spaine*, vnder the name of *Philopater*. Anno 94. came *Williams* and *Yorke* to the same end, *viz.* To kill the *Queene*, being wrought to vndertake so vile and detestable a facte by father *Holt* the Iesuite, and other his complices; And thereupon the said *Williams* and *Yorke* in the Iesuites Colledge receiued the Sacrament together of father *Holt*, and other Iesuites, to execute the same. And that Treason likewise was accompanied with a Booke written by the legier Iesuite and *Rector* at *Rome*, *Parsons*, vnder the name of *Doleman*, concerning Titles, or rather tittles: a lewde and a lying book, ful of falshood, forgery and malediction. Anno 97. came *Squire* from *Spaine*, to poyson her Maiestie, incited, directed, and warranted by *Walpole* a Iesuite, then residing there: at whose hands likewise after absolution, he receiued the Sacrament, aswell to put the practise in execution, as to keepe it secret. All these Treasons were freely and voluntarily confessed by the parties themselues, vnder their owne hands, and yet remaine extant to be seene.

In the yeere 1601. when practises failed,

then was Force againe attempted; For then (as in the former Arraignement hath beene declared) was *Thomas Winter* imployed to the King of *Spaine*, together with *Teſmond* the Ieſuite, by this *Garnet*, who wrote his Letters to *Arthur* aliâs *Ioſeph Creſwell*, (the only man whom I haue heard of to change his Chriſtian name) the legier Ieſuite in *Spaine*, for the furtherance of that negotiation, which was, as hath bene ſaid, To offer the ſeruices of the Engliſh Catholikes to the King, and to deale further concerning an Inuaſion, with promiſe from the Catholiques heere of forces both of men and horſes to bee in a readineſſe to ioyne with him. This negotiation by the meanes of *Creſwell* to whom *Garnet* wrote, tooke ſuch effect, that the two Kingdomes ſtanding then in hoſtilitie, the propoſition of the Engliſh Romiſh Catholiques was accepted and intertained, An armie to Inuade (as hath bene ſpecified in the former Arraignement) promiſed, And 100000. Crownes to bee diſtributed amongſt *Romaniſts* and diſcontented perſons, making of a partie in *England*, and for the furtherance of the ſaid ſeruice granted. In the meane time the King earneſtly

earneſtly deſired, That if the QVEENE of *England* ſhould happen to die, he might receiue preſent and certaine Aduertiſement thereof.

Now this Treaſon was accompanied with the Popes owne writing. For now doeth the Holy father cauſe to be ſent hither to *Garnet* two Brieſes or Buls, one to the Clergie, and an other to the Laitie: wherein obſerue the Title, the Matter, the Time. The Title of the one was, *Dilectis filijs, Principibus, & Nobilibus Catholicis Anglicanis ſalutem & Apoſtolicam benedictionem*: that is, To our beloued ſonnes the Nobles and Gentlemen of *England* which are Catholiques, greeting, and Apoſtolicall benediction. The title of the other was, *Dilectis filijs Archipresbytero, & reliquo Clero Anglicano, &c.* To our beloued ſonnes, the Archprieſt, and the reſt of the Catholique Clergie. The matter was, that after the death of her Maieſtie, whether by courſe of Nature or otherwiſe, whoſoeuer ſhould lay claime or Title to the Crowne of England, though neuer ſo directly and neerly intereſſed therein by Deſcent and Blood Royall, yet vnleſſe hee were ſuch an one as *Clement.8.*

would not onely tolerate the Catholique (Romish) Religion, but by all his best endeauours and force promote it, and according to the ancient custome would by a solemne and sacred Othe religiously promise and vndertake to performe the same, they should admit or receiue none to be King of England: His words are these, *Quantumcunq; propinquitate sanguinis niterentur, nisi eiusmodi essent qui fidem Catholicam non modò tolerarent, sed omni ope ac studio promouerent, & more Maiorum Iureiurando se id præstituros susciperent, &c.*

As for King IAMES (at whome the Pope aimed) he hath indeed both *Propinquitatem*, and *Antiquitatem Regalis sanguinis*, Propinquitie and Antiquitie of blood Royall, for his iust Claime & Title to this Crowne both before and since the Conqueſt. To insist vpon the declaration and deduction of this point, and passe along through the *Series* & course of so many Ages and Centuries, as it would be ouer long for this place; So further I might herein seeme as it were to guild gold: Onely in a word, His Maiestie is lineally descended from *Margaret* the * *Saint*, daughter of *Edward* sonne of King *Edmund* Grandchild of

* *Sancta Margareta Regina Scotorum in Calendario Romano.*

Great

Great *Edgar* the *Britaine* Monarch; which *Margaret*, ſole Heire of the Engliſh Saxon King, was maried to *Malcolme* King of *Scotland*, who by her had iſſue *Dauid* the [b] *Holy* their King, from whom that Race Royall at this day is deduced, & *Maud* the [c] *Good*, wife of the firſt and learned *Henry* K. of *England*, from whom his Maieſtie directly and lineally proceedeth, and of whome a Poet of that time wrote:

[b] *Dauid hath the Epit. of Pius in Hector Boetius Maior and Scoticronicon.*

[c] *Maud is ſtiled Bona by the ſtories of thoſe times.*

Nec decor effecit fragilē, non ſceptra ſuperbā,
Sola potens humilis, ſola pudica decens.

And laſtly his Maieſtie commeth of *Margaret* alſo the eldeſt daughter of *Henry* the 7. who was deſcended of that famous Vnion of thoſe two faire Roſes, the White and the Redde, *Yorke* and *Lancaſter*, the effecting of which Vnion coſt the effuſion of much Engliſh blood, ouer and beſides foureſcore or thereabouts of the blood Royall. But a more famous Vnion is by the goodneſſe of the Almightie perfected in his Maieſties perſon of diuers Lions, two famous, ancient and renowmed Kingdomes, not onely without blood, or any oppoſition, but with ſuch an vniuerſall acclamation and applauſe of all

ſorts

ſorts & degrees (as it were with one voice) as neuer was ſeen or read of: And therfore moſt Excellent King, for to him I will now ſpeake,

Cum triplici fuluum coniunge leone leonem,
Vt varias Atauus iunxerat antè Roſas.
Maius opus varios ſine pugna vnire leones,
Sanguine quàm varias conſociâſſe Roſas.

Theſe foure Noble and magnanimous Lyons, ſo firmely and indiuidually vnited, are able without any difficultie or great labour, to ſubdue and ouerthrow all the Letters and Bulles (and their Calfes alſo) that haue beene, or can be ſent into England.

Now for the time, obſerue that theſe Buls or Brieſes came vpon the aforeſaid negociation of *Thomas Winter* into *Spaine*, at what time an Army ſhould ſhortly after haue bin ſent to inuade the Land: and this was to bee put in execution, *Quandocunq; contingeret miſeram illam fœminam ex hac vita excedere*, Whenſoeuer it ſhould happen that that miſerable woman (for ſo it pleaſed the high Prieſt of *Rome* to call great Queene *Elizabeth*) ſhould depart this life. Was Q. *Elizabeth* miſerable? It is ſaid that *Miſeria conſtat ex duobus contrarijs, ſcilicet, Copia, & Inopia: Ex copia tribu-*

tribulationis, & inopia conſolationis. Was ſhe, I ſay, miſerable, whom Almightie God ſo often, and ſo miraculouſly protected, both *from the Arrow that flyeth by day*, their great *Armado*, and *from the Peſtilence that walketh in the darkeneſſe*, their ſecret and treacherous Conſpiracies? that did beat her moſt potent enemie? that ſet vp a King in his Kingdom? that defended Nations, and harbored and protected diſtreſſed people? that protected her Subiects in peace and plentie, and had the hearts of the moſt and the beſt of her Subiects? that reigned Religiouſly, & Glorioufly, and dyed Chriſtianly and in peace? Oh bleſſed Queene our late deere Soueraigne, *ſemper honos noménque tuum laudeſq; manebunt.* But Queene *Elizabeth* of famous memorie, (For *Memoria eius ſemper erit in benedictione*) as a bright morning Starre in fulneſſe of time loſt her naturall light, when the great & glorious Sunne appeared in our *Horizon*; And now ſithence the comming of great King *Iames*, there haue not paſſed, I will not ſay foure yeres, but not foure, nay not two moneths without ſome Treaſon. Firſt in March 603. vpon the death of her Maieſtie, and be-

fore they had ſeene his Maieſties face, was *Chriſtopher Wright* imployed into *Spaine*, by *Garnet*, *Cateſby*, and *Treſham*, to giue aduertiſement of the Queenes death, and to continue the former negociation of *Thomas Winter*. And by him alſo doeth this *Garnet* write to *Creſwell* the Ieſuite in commendation, and for aſsiſtance and furtherance of his buſineſſe.

As alſo in the 22. of Iune following, was *Guy Fawlkes* ſent out of *Flaunders*, by *Baldwine* the Ieſuite, by Sir *William Stanley*, and *Hugh Owen* about the ſame Treaſon, and by Letters from *Baldwine* directed and commended to *Creſwel* the Legier Ieſuit in *Spaine*, for the procuring of his diſpatch, as in the former Arraignement hath beene declared. In the ſame Iune doeth *Garnet* the Superiour, together with *Gerrard* and other Ieſuites and Ieſuited Catholikes labour, not onely in prouiding of Horſes, which by *Thomas Winter* and *Chriſtopher Wright* vpon their ſeuerall negotiation they in the names of all the Catholikes in England, had promiſed the King of *Spaine* to aſsiſt and doe him Seruice withall, at ſuch time as the ſaid King ſhould ſend his

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Forces to inuade, either at Milford Hauen, or in Kent, as hath before beene ſhewed, But alſo did by force of the ſaid two Bulles or Breefes, diſſwade the Romiſh Catholiques from yeelding their due obedience to his Maieſtie, for that he was not of the Romane Religion, contrary to the practiſe of the true Church and Churchmen, that vndergoe Warres, *Ferendo, non feriendo*, with patience not with ſtrookes, their weapons being properly *Orationes & lachrymæ*, prayers and teares.

In the ſame Iune 9. which was 603. *primo Iacobi*, brake out likewiſe the Treaſon of the Romiſh Prieſts, *VVatſon* and *Clarke*, as alſo that other of Sir *VValter Raleigh* and others. But the Ieſuites ſeeing that the Peace was now in great forwardneſſe, and hauing aduertiſement alſo, that the King of *Spaine* did now diſtaſte their propoſitions, ſo that there was no further hope left for Force, then fell they againe to ſecret practiſe. As for the Buls or Breefes before mentioned, when *Catesby* had informed *Garnet*, that King IAMES was proclaimed, and the State ſetled; they were by *Garnet*, as himſelfe hath affirmed, burnt. But

to proceede. In March 603. *Garnet* and *Cateſby* (a peſtilent Traitor) conferre together, and *Catesby* in generall telleth him (though moſt falſely) that the King had broken promiſe with the Catholikes, and therefore aſſuredly, there would bee ſtirres in England before it were long. In September following, meetes *Catesby* and *Thomas Percy*, and after an vniuſt, but a grieuous complaint made by *Cateſby* of the Kings proceedings, for that contrarie to their expectations, his Maieſtie both did hold, and was like continually to runne the ſame courſe, which the Queene before had held, *Percy* preſently breakes forth into this deuiliſh ſpeech, That there was no way but to kill the King, which hee the ſaid *Percy* would vndertake to doe. But *Catesby*, as being *Verſuto ingenio & profunda perfidia*, a cunning, a wily, and a deepe Traitor, intending to vſe this ſo furious and fierie a ſpirit to a further purpoſe, doeth as it were ſtroke him for his great forwardneſſe, yet with ſage and ſtayed counſell tels him: No *Tom*, thou ſhalt not aduenture thy ſelfe to ſo ſmall purpoſe: If thou wilt bee a Traitor, there is a Plot to greater aduantage, and ſuch a one as

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can neuer bee diſcouered, *viz.* The Powder Treaſon.

In Ianuarie in the firſt yeere of his Maieſty, *Garnet* tooke out a general Pardon vnder the great Seale of *England*, of all treaſons, which Pardon his Maieſtie of his grace granted to all men at his firſt entrance into his kingdom, vnder the name of *Henry Garnet* of *London* Gent. but therein he neuer vſed any of his *aliâs dictus Walley*, *Farmer*, or any other of his fained names. But *Catesby* fearing leſt any of thoſe whom he had or ſhould take into Confederacie, being touched in conſcience with the horror of ſo damnable a fact, might giue it ouer, and endanger the diſcouerie of the Plot, ſeekes to *Garnet*, (as being the Superior of the Ieſuits, and therefore of high eſtimation and authoritie amongſt all thoſe of the Romiſh Religion) to haue his iudgement and reſolution in conſcience, concerning the lawfulneſſe of the fact, that thereby he might be able to giue ſatisfactiõ to any who ſhould in that behalfe make doubt or ſcruple to goe forward in that Treaſon. And therefore *Catesby* comming to *Garnet*, propoundeth vnto him the Caſe, and asketh whether for

the good, and promotion of the Catholique cauſe againſt Heretiques, (the neceſsitie of time and occaſion ſo requiring) it be lawfull or not, amongſt many *Nocents*, to deſtroy & take away ſome *Innocents* alſo. To this queſtion *Garnet* aduiſedly and reſoluedly anſwered; That if the aduantage were greater to the Catholique part by taking away ſome *Innocents* together with many *Nocents*, then doubtles it ſhould be lawful to kill & deſtroy them all: And to this purpoſe he alleaged a cõpariſon of a towne or citie which was poſſeſſed by an enemie, if at the time of taking thereof there happen to be ſome few friends within the place, they muſt vndergoe the fortune of the warres in the generall and common deſtruction of the enemie. And this reſolution of *Garnet* the Superior of the Ieſuits, was the ſtrongeſt, and the onely bond, wherby *Catesby* afterwards kept and retained all the Traitors in that ſo abominable and deteſtable a Confederacie. For in March following, *Catsby*, *Thomas Winter* & others reſolue vpon the Powder-plot, and *Faux* as being a man vnknowen, and withall a deſperate perſon and a ſouldier, was reſolued vpon as fit for the

the executing thereof, to which purpoſe hee was in Aprill following by *Thomas VVinter* ſought and fetched out of *Flanders*, into *England*. In May, in the ſecond yeere of his Maieſtie, *Catesby*, *Percy*, *Iohn Wright*, *Tho. Winter*, and *Fawkes* meete, and hauing vpon the holy Euangeliſts taken an oath of ſecrecy and conſtancie to this effect,

YOu ſhall ſweare by the bleſſed Trinitie, and by the Sacrament you now purpoſe to receiue, neuer to diſcloſe, directly or indirectly, by word or circumſtance, the matter that ſhalbe propoſed to you to keepe ſecret, nor deſiſt from the execution thereof, vntill the reſt ſhall giue you leaue.

They all were confeſſed, had abſolution, and receiued thereupon the Sacrament, by the hands of *Gerrard* the Ieſuite then preſent. In Iune following *Catesby* and *Greenewell* the Ieſuite conferre about the Powder-treaſon. And at Midſummer *Catesby* hauing ſpeach with *Garnet* of the Powder-treaſon; they ſaid that it was ſo ſecret, as that it muſt preuaile, before it could be diſcouered. Then *Garnet* ſeemed to deſire that the Popes conſet might be obteined; But *Catesby* anſwered, that hee tooke

tooke that as granted by the Pope in the two Buls or Breefes before; For that ſaid he, if it were lawfull not to receiue, or to repell him, as the ſaid Buls or Breefes did import, then is it lawfull alſo to expell or caſt him out. Vpon the 7. of Iuly 604. was the Parliament prorogued vntill the 7. of Februarie; And in November following, *Thomas Bates*, being (as hath beene declared more at large in the former Arraignment) fetched in by *Catesby* his maſter, to participate in the Powder-treaſon, for better aſſurance of his ſecrecie, and proſecution thereof, is by *Greenewel* the Ieſuite confeſſed, encouraged, and tolde, that being for a good cauſe, he might and ought not only conceale it, as committed vnto him in ſecret by his maſter, but further ſaid, that it was no offence at all, but iuſtifiable and good. About this time was *Robert Keyes* taken into the Confederacie, and by *Catesby* reſolued of the lawfulneſſe thereof from the Ieſuits.

In the 11. of December they entred the Mine: and in March following which was in 1605. was *Guy Faulx* ſent ouer to Sir *William Stanley* with letters from *Garnet*, to *Baldwine* the Legier Ieſuite there, to take order that againſt

gainſt the time of the Blow, the forces might be brought neere to the Sea ſide, to the ende that they might ſuddenly be tranſported into *England*, And there doth *Faulx* by conſent of the confederates, giue *Owen* the Othe of ſecrecie and perſeuerance, and then acquaints him with the whole Treaſon: Who hauing beene a moſt malicious and inueterate Traitor, greatly applauded it, and gaue his conſent and counſell for the furtherance ther-of. In May 1605. fell out certaine Broiles in *Wales* by the Romiſh Catholiques, at what time alſo *Rookewood* was by *Cateſby* acquainted with the powder treaſon, and reſolued of the lawfulnes of the fact by him as from the Ieſuites. Now doth *Garnet* write to the Pope, that commandement might come from his Holineſſe, or els from *Aquauiua* the generall of the Ieſuites, for the ſtaying of all commotions of the Catholiques here in *England*, intending indeed to ſet their whole reſt of the Catholique Romiſh cauſe, vpon the powder plot, and in the meane time to lull vs aſleepe in ſecuritie, in reſpect of their diſſembled quietnes and conformitie, as alſo leaſt impediment might bee offered to this maine plot

by reaſon of any ſuſpicion of the ſtirring of Papiſts, or of inquirie after them vpon occaſion of any pettie commotions or broiles. But when he further deſired, that it might bee ſo enioyned vpon cenſures, that latter requeſt was not graunted, leaſt it might indeed be an impediment to the powder plot.

In Iune following doeth *Greenwel* the Ieſuite conſult with *Garnet* his Superiour, of the whole courſe of the powder treaſon at large. Wherin obſerue the politique & ſubtile dealing of this *Garnet*. Firſt he would not (as he ſaith) confer of it with a lay man (other then *Catesby* whom he ſo much truſted) why ſo? becauſe that might derogate from the reuerence of his place, That a Ieſuite, and a Superiour of them, ſhould openly ioyne with lay men in cauſe of ſo much blood; And therfore ſecondly, as he would cõſult of it with a Prieſt, and a Ieſuite one of his owne order and his ſubiect; ſo for his further ſecuritie, hee would conſult thereof with *Greenwel* the Ieſuite, as in a diſguiſed confeſsion. And being informed, that the diſcourſe would be too long to repeat kneeling, he anſwered that he would conſult with him of it in confeſsion walking, and ſo accor-

accordingly in an ambulatorie confeſsion, he at large diſcourſed with him of the whole plot of the powder treaſon, And that a protector (after the Blow giuen) ſhould be choſen out of ſuch of the Nobilitie as ſhould be warned and reſerued.

In this Moneth likewiſe was there a great conference and conſultation betwixt *Garnet*, *Catesby*, and *Francis Treſham*, concerning the ſtrength of the Catholiques in *England*, to the end that *Garnet* might by letters ſend direct aduertiſement therof to the Pope; for that his holineſſe would not bee brought to ſhew his inclination concerning any Commotion or riſing of the Catholique part, vntill ſuch time as he ſhould be certainly informed that they had ſufficient and able Force to preuaile.

And in Auguſt following, *Garnet* in a conference had about the acquainting of the Pope with the Powder treaſon, named and appointed Sir *Edmund Baynam* for to carrie that meſſage to the Pope, yet not to him as Pope but to him as a temporall Prince, & by him doeth *Garnet* write Letters in that behalfe; as alſo for ſtaying of Commotions, vnder paine of Cenſures, well knowing that be-

fore his Letters could be answered, the house of Parliament (according to their desygnes) should haue beene blowen vp, and the whole State ouerthrowen. But this tricke hee vsed like a thiefe, that going to steale and take Partriches with a setting dogge, doeth rate his dogge for questing or going too neere, vntill he haue laid his net ouer them, for feare the game should be sprung, and the purpose defeated.

In this Moneth also doth *Garnet* write to *Baldwine* the legier Iesuite in the low Countreyes, in the behalfe of *Cateſby*, that *Owen* should moue the *Marques* for a Regiment of horses for him the said *Cateſby*, not with any intent, as it was agreed, that *Cateſby* should vndertake any such charge, but that vnder colour of it, horses and other necessaries might be prouided without suspition to furnish the Traitors.

In September following doth *Parsons* the Iesuite write to *Garnet*, to know the particulars of the *Proiect* in hand, for the iourney to Saint *Winifrides* Well in this Moneth. It was but a Iergon, to haue better opportunitie by colour thereof, to conferre and retire themselues

ſelues to thoſe parts.

In October doeth *Garnet* meete the other Traytors at *Coughton* in *Warwickſhire*, which was the place of *Rendewous*, whither they reſorted out of all Countreys.

Vpon the firſt of Nouember *Garnet* openly prayeth for the good ſucceſſe of the great Action, concerning the Catholique cauſe in the beginning of the Parliament. And prayer is more then conſent. For, *Nemo orat ſed quæ ſperat & credit.* Hee in the prayer vſed two verſes of a Hymne, *Gentem auferte perfidam credentium de finibus, vt Chriſto laudes debitas perſoluamus alacriter.*

Now was the Letter with the L. *Mounteagle*, whoſe memorie ſhall be bleſſed, on the fourth of Nouember: by the prouidence of the Almightie, not many houres before the Treaſon ſhould haue bene executed, was it fully diſcouered.

On the 5. of Nouember, being the time when the Traitors expected that their deuiliſh practiſe ſhould haue taken effect, they conuented at *Dunchurch*, vnder colour of a great hunting match, appointed by Sir *Everard Digby*, as being a man of qualitie and ac-

compt thereabout, purposing by this meanes to furnish themselues with company for their intended Insurrection and Rebellion; for that men being gathered together, and a tumult suddenly raised, the Traitors thought, that euery or most of them would follow the present fortune, and be easily perswaded to take part with them, And that they might easily surprise the person of the Lady *Elizabeth* then being in those partes, in the L. *Harringtons* house.

Vpon the 6. of November, early in the Morning, *Catesby* and the said Confederates dispatched *Tho. Bates* with a Letter to *Garnet* the superiour of the Iesuites, who was (as they well knew) then ready at *Coulton* neere vnto them, earnestly intreating his helpe and assistance, for the raising of *Wales*, and putting so many as he could into open Rebellion. At what time *Garnet*, and *Greenewell* (who then of purpose was there with *Garnet*) then certainely perceiuing that the Plot was indeede discouered, and knowing themselues to bee the chiefest Authors thereof, prophesied the ouerthrow of the whole order of the Iesuites, saying, That they feared that the discouerie

and

and miſcarrying of this practiſe, would vtterly vndoe and ouerthrow the whole Societie of the Ieſuites. But *Greenwel* the Ieſuite being caried with a more violent and firie ſpirit, poſteth vp and downe to incite ſuch as he could to riſe vp in open Rebellion. And meeting in Maſter *Abingtons* houſe with *Hall* an other Ieſuite, aduiſeth him the ſaid *Hall* likewiſe to looſe no time, but foorthwith to ſeeke to raiſe and ſtirre vp ſo many as hee could. But *Hall* ſeeming to deliberate thereof, whether ſeeing no ende of ſo raſh an attempt, or fearing by that meanes to bee himſelfe apprehended, *Teſmond* told him that he was a Flegmatique fellow, and ſaid, A man may herein ſee the difference betwixt a Flegmatique man (ſuch as he meant *Hall* was) and a Cholerique, as he ſayd himſelfe was; And further added, that he was reſolued to doe his beſt endeuors for the rayſing of a Rebellion, vnder this falſe pretext and colour, That it was concluded that the throats of all the Catholiques in *England* ſhould be cut. So perſwading himſelfe to incite them to take Armes for to ſtand vpon their Guard and defence; and with this deuiſe he poſted away into the County of *Lancaſter*:

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Afterwards *Hall* the Ieſuit, otherwiſe called *Oldcorne*; being vrged by *Humfrey Littleton* with the euill ſucceſſe of their intended Treaſon, that ſurely God was diſpleaſed and offended with ſuch bloody and barbarous courſes; in ſtead of all humble acknowledgement of the Iuſtice of God, and a ſence of the wickednesſe of the Treaſon, fell rather Sathanically to argue for the iuſtification of the ſame; and ſayd, Yee muſt not iudge the cauſe by the euent: for the eleuen Tribes of *Iſrael* were by God himſelfe commaunded to goe and fight againſt *Beniamin*, yet were they twice ouerthrowen. So *Lewes* of *France* fighting againſt the *Turke*, his Army was ſcattered, and himſelfe died of the Plague. And laſtly, the Chriſtians defending the *Rhodes*, were by the *Turkes* ouercome. And theſe he applyed to the Powder-treaſon, and perſwaded *Littleton* not to iudge it vngodly or vnlawfull by the euent.

Obſerue here a double conſequent of this Powder-treaſon: 1. Open Rebellion, as hath beene ſhewed both immediatly before, and more at large in the former Arraignment: And ſince that, blaſphemy in *Garnet*

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the Superior of the Iesuits: for hee hauing libertie in the Tower to write, and ſending a Letter (which Letter was openly ſhewed in the Court before him) to an acquaintance of his in the Gatehouſe, there was nothing therin to bee ſeene but ordinary matter, and for certaine neceſſaries: but in the Margent, which he made very great and ſpacious, and vnderneath, where there remained cleane paper, he wrote cunningly with the Iuice of an Orenge, or of a Limmon, to publiſh his Innocencie, and concerning his vſage, and there denieth thoſe things which before hee had freely and voluntarily confeſſed, and ſaid that for the Spaniſh Treaſon, he was freed by his Maieſties Pardon, and as for the Powder-treaſon, he hoped for want of proofe againſt him, to auoyd that well enough: but concludeth blaſphemouſly, applying the wordes which were ſpoken of our bleſſed Sauiour, to himſelfe, in this damnable Treaſon, and ſaith, *Neceſſe eſt vt vnus homo moriatur pro populo*, it is neceſſary that one man dye for the people, which words *Caiaphas* ſpake of *Chriſt*. Wherein note his Preuarication and Equiuocation: for before the Ll. Commiſsioners, hee

truely and freely confessed his Treasons, being (as himselfe vnder his owne hand confesseth) ouerwhelmed *tanta nube testium*, and yet *ad faciendum populum*, in his Letters which he wrote abroad, hee cleareth himselfe of the Powder-treason. And thus much concerning the two circumstances subsequent, which were Rebellion and Blasphemy.

The Circumstances concurring, are concerning the persons both offending and offended. For the principall person offending here at the Barre, hee is, as you haue heard, a man of many names, *Garnet*, *Wallye*, *Darcy*, *Roberts*, *Farmer*, *Phillips*: and surely I haue not commonly knowen or obserued a true man, that hath had so many false Appellations. He is by Countrey an Englishman, by birth a Gentleman, by education a Scholler, afterwards a Corrector of the Common Law Print, with M. *Tottle* the Printer, and now is to be corrected by the Law. He hath many gifts and endowments of nature, hee is Artlearned, a good Linguist, and by profession a *Iesuite*, and a Superior, as in deed hee is Superior to all his predecessors in deuilish Treason, a Doctor of *Iesuites*, that is, a Do-

ctor of fiue *Dd.* as Diſſimulation, Depoſing of Princes, Diſpoſing of Kingdomes, Daunting and deterring of ſubiects, and Deſtruction. Their Diſſimulation appeareth out of their doctrine of Equiuocation. Concerning which it was thought fitte to touch ſomething of that which was more copiouſly deliuered in the former Arraignment, in reſpect of the preſence of *Garnet* there, who was the ſuperiour of the Ieſuits in England, concerning the treatiſe of Equiuocation ſeene and allowed by *Garnet*, and by *Blackwell* the Arch prieſt, wherein vnder the pretext of the lawfulneſſe of a mixt propoſition to expreſſe one part of a mans mind, and retaine another, people are indeed taught not onely ſimple lying, but fearefull and damnable blaſphemie. And whereas the Ieſuites aske why wee conuict and condemne them not for hereſie, it is for that they will equiuocate, and ſo cannot that way be tryed or iudged according to their words.

Now for the antiquitie of Equiuocation, it is indeede very old, within little more then 300. yeares after Chriſt, vſed by *Arrius* the heretique, who hauing in a generall Councell *Socrat. hiſt.*

been condemned, and then by the commandement of *Constantine* the Emperour sent into Exile, was by the said Emperour vpon instant intercession for him, and promise of his future conformitie to the *Nicene* faith, recalled againe: who returning home, and hauing before craftily set downe in writing his heretical belieſe, and put it into his bosome, when he came into the presence of the Emperour, and had the *Nicene* faith propounded vnto him, and was thereupon asked, whether hee then did indeede, and so constantly would hold that faith; hee (clapping his hand vpon his bosome where his paper lay) answered & vowed that hee did, and so would constantly professe and hold that faith (laying his hand on his bosome where the paper of his hereſie lay) meaning fraudulently (by way of Equiuocation) that faith of his own, which he had written and caried in his bosome. For these *Iesuites*, they indeede make no vow of speaking trueth, and yet euen this Equiuocating and lying is a kinde of vnchastitie, against which they vow and promise: For as it hath beene said of olde, *Cor linguæ fœderat naturæ sanctio, veluti in quodam certo Connubio: Ergo*

cùm

cùm dissonant cor & loquutio, Sermo concipitur in Adulterio, that is, The law and Sanction of Nature, hath (as it were) married the heart & tongue, by ioyning and knitting of them together in a certaine kinde of marriage; and therefore when there is discorde betweene them two, the speech that proceedes from them, is said to be conceiued in Adulterie, & he that breedes such bastard children offends against Chastitie. But note the heauy and wofull fruit of this doctrine of Equiuocation. *Francis Tresham* being nere his naturall death in the Tower, had of charitie his wife permitted (for his comfort) to come vnto him: who vnderstanding that her husband had before directly and truly accused *Garnet* of the *Spanish* Treason, least belike her husband should depart this life, with a conscience that he had reuealed any thing concerning the Superiour of the *Iesuites*, a very little before he died, drew him to this; that his owne hand being so feeble as that he could not write himselfe, yet hee caused his seruant then attending on him, to write that which he did dictate, and therein protested vpon his saluation, that hee had not seene the saide *Garnet* of 16. yeeres

before, and thereupon praied that his former confession to the contrary might in no wise take place; And that this paper of his Retractation which hee had weakely, and dyingly subscribed, might after his death be deliuered to the Earle of *Salisbury*: Whereas Master *Garnet* himselfe hath cleerely confessed the *Spanish* Treason, and now acknowledged the same at the Bar, and he and mistris *Vaux* and others directly confesse and say, that *Garnet* and *Tresham* had within two yeeres space beene very often together, and also manie times before. But *Qualis vita, finis ita*. And *Garnet* himself being at the Barre afterwards vrged to say what he thought of such the departure of *Francis Tresham* out of this life, answered onely this, I thinke hee meant to Equiuocate. Thus were they stayned with their owne workes, and went a whoring with their owne inuentions, as it is in the Psalme. So that this is indeed *Gens perfida*, according to the Hymne, a perfidious people, and therefore *Iurat? credemus, non iurat? credere nolimus, non iurat hostis, ab hoste cauemus*. For their Doctrine of deposing of Princes, *Simancas* and *Philopater* are plaine (as hath in

the former Arraignment borne more amply declared, and was nowe againe at large to *Garnets* face repeated.) If a Prince become Heretique, then is he excommunicated, cursed, and deposed, his children depriued of all their Right of Succession, himselfe not to be restored to his Temporall Estate vpon repentance; and by an Heretique they protestle that hee is intended and meant, namely, whosoeuer doth not hold the Religion of the Church of *Rome*. Nay there is an easier, and a more expedite way then all these to fetch off the Crowne from off the head of any King Christened whatsoeuer, which is this, that *Princeps indulgendo hæreticis amittit Regnum*, If any Prince shall but tolerate or fauour Heretiques, he looseth his Kingdom: Nay, where as *Garnet* in defence of this vsurped power of the high Priest of *Rome*, alledged, *Nos Sanctorum*, &c. out of the Decretals, in the very next Title before that, there is another Decree that passeth all we haue recited, wherein it is shewed, that *Zacharie* the Pope deposed *Childericke* of *Fraunce*, for nothing else therein specified, *Sed quia inutilis*, but onely for that he was reputed vnprofitable to gouerne.

Now

Nowe as concerning their daunting and deterring of Subiects, which is a part of the Iesuites profession: It were good that they would knowe and remember, how that the most Noble and famous Kings of England, neuer were afraide of Popes Buls, no not in the very midnight of Poperie, as *Edward* the Confessor, *Hen.* 1. *Edw.* 1. *Ric.* 2. *Hen.* 5. *Hen.* 4. &c. And in the time of *Henry* the seuenth, and in all their times, the Popes Legate neuer passed *Callis*, but staied there, and came not to England, vntill hee had taken a solemne Oath to doe nothing to the detriment of the Crowne or State.

For the persons offended, they were these: First the King of whom I haue spoken often, but neuer enough: A King of High and most Noble ancient descent, as hath beene briefly declared, and in himselfe full of all Imperial vertues; Religion, Iustice, Clemencie, Learning, Wisedome, Memorie, Affabilitie, and the rest. Then the Queene, and she in respect of her happie fruitfulnesse, is a great blessing, in so much that of her in that respect, may by said that shee is, *Ortu magna, vtero maior, sed maxima Prole*, Great in birth, Greater in her Marriage,

Marriage, but to all posteritie greatest in the blessed fruite of her Wombe, as having brought foorth the greatest Prince that euer England had. 3 The Noble Prince, of whom we may say with the Poet, *Quæ te tam læta tulere secula? qui tanti talem genuere parentes?* Neuer Prince true heire Apparant to the Imperiall Crowne had such a father, nor euer King had such a sonne. Then the whole Royall Issue, the Counsell, the Nobilitie, the Clergie, nay our Religion it selfe, and specially this City of LONDON, that is famous for her Riches, more famous for her People, (hauing aboue fiue hundred thousand soules within her and her Liberties) most famous for her Fidelitie, and more then most famous of all the Cities in the world for her true Religion & seruice of God: Holde vp thy head (Noble Citie) and aduance thy selfe, for that neuer was thy Brow blotted with the least taint or touch, or suspicion of Disloyaltie: Thou mayest truely say with the Prophet *Dauid, I will take no wicked thing in hand, I hate the sinne of vnfaithfulnesse, there shall no such cleaue vnto me*: Therefore for thy fidelitie thou art honoured with the Title of THE

KINGS CHAMBER, as an inward place of his greatest safetie: And for thy comfort and ioy this day, hath BRITAINES great King honoured thee with the proceeding vpon this great and Honourable Commission, after the heauie and dolefull Rumours this other day, when it was certainly knowen that King IAMES was in safety, well did the fidelitie of this Citie appeare, (whereof I was an eye-witnesse) *Vna voce conclamauerunt omnes, Salua Londinum, salua Patria, salua Religio, Iacobus Rex noster saluus*: Our Citie, our Countrey, our Religion is safe, for our King IAMES is in safetie.

The obseruations are many, and onely in a word to be touched. The first is, that in the Spanish treason before mentioned, and this Powder treason, there was the same order, cause and ende. The order was, first to deale by secret practise and Treason, and then by force and inuasion. The cause which they pretend was the Romish Catholique Religion. The end was the finall destruction of the royall succession, yea euen *Occidere regnum*, to ouerthrow and dissolue the whole kingdome.

2 Note that euen the Enemie hath ac-

know-

knowledged that our State is so setled and establiſhed, as neither ſtrength nor Stratageme can preuaile, vnleſſe there be a partie made in England.

3 We ſhal neuer haue Bull more to come from Rome to England, becauſe they ſhall neuer haue a party ſtrong enough to incounter with ſo many Lions.

4 All their Canons, decrees, and newe found Doctrines tend to one of theſe 2. endes either worldly pride, or wicked pollicie, for the amplitude and inlargement of the Popes authoritie, and for the ſafetie of the Ieſuites, Prieſts, &c.

5 Obſerue that *Baynam*, a laie man, and one of the Damned crue, and ſo naming himſelfe, was ſent to informe the Pope as a temporall Prince.

6 I conceiue their fall to be neere at hand, both by Diuinitie and by Philoſophie. For the firſt, there are now in *England* about 400. Prieſts: ſo many were there in Iſrael in the dayes of *Achab*. who, ſaith God, *ſhall goe and deceiue* Achab, *that he may fall*? a lying ſpirit in the mouths of his 400. Prophets vndertooke & effected it; their fall was neere, when once

a lying Spirit had possessed the Priests, according to the vision of *Micheas*, as now it hath possessed the Iesuites. 2. The imitation of good for the most part comes short of the patterne: but the imitation of euill euer exceedes the example. Now no imitation can exceede this fact, and therefore their time is at an end.

7 Many condemne it now, that would haue commended it, if it had taken effect, for this say they, is *E numero eorum quæ non laudantur nisi peracta.*

8 They and their adherents spread abroad false rumors; as that the King should haue broken promise with them concerning toleration: which mixture of Gods seruice rather then hee would suffer, hee would loose Children, Crowne, Life, and all. Nay, they may see there is no such hope left, for that his Maiestie bringeth vp his Royall Issue in the true Religion and seruice of the Almightie.

Lastly obserue the wonderfull prouidence of God in the admirable discouery of this Superiour Iesuite to be partie to this treason, and that in two respects.

First, In respect of the meanes of secrecie,

vſed by him in conference onely with *Catesby* of the laytie.

Secondly, They had a ſtrong and a deepe Othe giuen them both for ſecrecie and perſeuerance.

Thirdly, They hereupon receiued the holy Sacrament.

Fourthly, They were allowed and taught by the Ieſuites, to equiuocate vpon Othe, ſalvation or otherwiſe, and how then ſhould it be diſcouered?

Fiftly, their ſecret intelligence was ſuch, as that it was vnpoſsible by the wit of man to be found out. And therefore the ſecond thing is, how this treaſon being long ſithence plotted, the prouidence of God did continually from time to time diuert and put off the executing thereof, by vnexpected putting off the times of aſſembly in parliament. For the parliament begunne the 19. of March in the firſt yeere of his Maieſties Reign, and continued till the 7. of Iuly following, before which time the Conſpirators could not bee ready; from thence it was proroged vntil the 7. of February, againſt which time, they could not make the Myne ready, in reſpect that they could not digge

there, for that the Commissioners of the Vnion sate neere the place, and the wall was thicke, and therefore they could not be prouided before the 7. of February, and on the 7. of February the Parliament was proroged vntill the 5. of October. After this they found an other Course, and altered the place from the Myne to the Cellar. O blessed Change of so wicked a worke! Oh but these fatall Engineers are not yet discouered, and yet all things are prepared. Oh prorogue it once more: and accordingly God put it into his Maiesties heart (hauing then not the least suspicion of any such matter) to prorogue the Parliament, and further to open and inlighten his vnderstanding, out of a mysticall and darke Letter, like an Angell of God to point to the Cellar, and cõmand that to be searched, so that it was discouered thus miraculously, but euen a few houres before the Designe should haue bene executed.

The Conclusion therefore shall bee this, *Qui cum Iesu it is, non it is cum Iesuit is*: for *they courage themselues in mischiefe, and common among themselues secretly, how they may lay snares, and say, that no man shall see them.* But

God

God shall suddenly shoote at them with a swift arrow, that they shall bee wounded; In so much that whoso seeth it shall say, This hath God done: for they shall perceiue that it is his worke.

Then were repeated the proofes for euery of the particular accusations aforesaid, by the expresse and voluntarie confessions of *Garnet*, and of his Complices themselues, and of two credible witnesses sworne at the Barre, and openly heard *viua voce*, and acknowledged by *Garnet* himselfe to bee men without exception.

THen *M. Garnet* hauing licence of the Court to answere what he could for himselfe, spake, and diuided all which had bene obiected, to his remembrance, into 4. parts, viz.

Contayning matter of
1. *Doctrine.*
2. *Recusants.*
3. *Iesuits in generall.*
4. *Himselfe in particular.*

In doctrine he remembred 2. points.

1. *Concerning Æquiuocation, whereunto he answered,*

answered, that their Church condemned all lying, but especially if it be in cause of Religion & faith, that being the most pernicious lye of all others, and by S. Augustine condemned in the Priscillianists. Nay, to lye in any cause is held a sinne, and euill, Howsoeuer of 8. degrees which S. Augustine maketh, the lowest indeed is to lye for to procure the good of some without hurting of any: So then our Æquiuocation is not to maintaine lying, but to defend the vse of certaine Propositions. For a man may bee asked of one, who hath no Authoritie to interrogate, or examined concerning something which belongeth not to his cognisance who asketh, As what a man thinketh, &c. So then no man may Æquiuocate, when he ought to tell the trueth, Otherwise he may. And so S. Augustine vpon Iohn saith, That Christ denied he knew the day of Iudgement, Viz. with purpose to tel it to his disciples, & so S. Thomas and others who handle this matter. Chiefly vnder the title of Confession.

2. For the second point which was the power of the Pope in deposing of Princes, His answere was threefold. 1. That therein he onely propounded and followed the generall doctrine of the Church. 2. That this doctrine of the power of the Pope, was by all other Catholique Princes tolerated with-

without grieuance. 3. That yet for his owne part, he alwayes made a difference in the matter of Excommunicating and deposing of Princes, betwixt the condition and State of our King, and of others, who hauing sometimes bene Catholiques, did or shall afterwards fall backe. As for Simanca and other writers, whatsoeuer they set downe of the deposing of heretiques, it is to be vnderstood of those Princes, who hauing sometimes professed the faith of the Church of Rome, doe afterwards make a defection from the same.

2. For Recusants, 1. I desire them not to impute any offence or crime of mine, to the preiudice of the cause of Religion. 2. Concerning their not going to Church, whereas it was vrged by M. Attorney, that the ground of their not going to Church, was the Excommunication and Bull of Pius Quintus, and that now they may go, for that his Maiestie is not denounced Excommunicate; I answere that it foloweth not; For the Arrians and Catholiques had the same Seruice in their Churches, yet came they not together; And I know diuers my selfe, who before that Bull refused to goe to Church all the time of Q. Elizabeth, though perhaps most Catholiques did indeed go to Church before it was about the ende of the Councell of

Trent, where this matter was discussed by 12. learned men, and concluded not lawfull; And this was occasioned for that Calvin himselfe held it not lawfull for any Protestant to bee present, not onely at our Masse, wherein perhaps they may say there is Idolatry, but not at our Euensong, being the same with theirs.

3. Concerning the Iesuits, he said, that if any were priuie to such horrible Treasons, it was impious, especially in men of their profession: But sayd, that he talked with some of them about it, and that they denied it.

4. Touching my selfe, The Negotiation into Spaine, was indeed propounded vnto me, And I was also acquainted with the Negotiation for money, but euer intending it should bee bestowed for the relieſe of poore Catholiques: But when they were there, they moued for an Army, which when they afterwards acquainted me withall, I misliked it, and sayd, it would be much disliked at Rome: onely I must needs confesse I did conceale it after the example of Christ, who commands vs when our brother offends, to reproue him, for if he do amend we haue gained him; yet I must needs confesse that the Lawes made against such concealing are very good and iust, for it is not fit the

safety

safety of a Prince should depend vpon any other mans conscience. So that I am verily perswaded if they yeelded to mee, it had beene good: but what their intent and meaning was in desiring an Army, I knew not, and I was charged not to meddle therein, no not with the money which was to be sent for pensions, though it was to maintaine the Title of the King.

The Earle of Salisbury then demaunded, Earl. of Sal.
To maintaine whose Title?

Garnet answered, The Title of the King of Spaine. *Garnet.*

The Earle of Northampton asked him, Erl. of Nor.
Why he did not oppose himselfe against it, and forbid it, as he might haue done? For *Qui cum possit non prohibet, iubet.*

Whereupon Garnet answered, That he might not doe it; And for sending of Letters, and commending some persons thereby, he confessed he did it often, as they were commended to him, without knowing either their purposes, or some of their persons: for he neuer knew M. Wright for whom he writ. *Garnet.*

The Earle of Salisbury then replyed to Erle of Sal.
Garnet, I must now remember you, how little any of your answeres can make for your pur-

poſe, when you would ſeeke to colour your dealing with Baynham, by profeſsing to write to Rome to procure a countermand of conſpiracies, And yet you know when he tooke his iourney towards Rome, the blow muſt needs haue bene paſſed, before the time hee could haue arriued to the Popes preſence, (ſuch being your zeale and his haſt for any ſuch preuention) as it was about the 20. of our October when he paſſed by Florence towards Rome.

Garnet. *To which Garnet made no great anſwere, but let it paſſe, And then went on with his defence of ſending Letters in commendation of many of thoſe with which he had bene formerly charged, and ſo confeſſed that he had written in commendation of Fawkes, thinking that he went to ſerue as a Souldier, not knowing then of any other purpoſe hee had in hand. And as for ſir Edmund Baynham, what hee or M. Catesby intended, he knew not in particular; onely M. Catesby asked him in generall, the queſtion of the lawfulneſſe to deſtroy Innocents with Nocents, as had bene before obiected againſt him, which at firſt, I thought, ſaid Garnet, had bene an idle queſtion, though afterwards I did verily thinke, hee intended ſomething that*

was

was not good; Whereupon having ſhortly after this, receiued Letters from Rome, to prohibite all Inſurrections intended by Catholiques, which might perturbe this State; Garnet informed Catesby thereof, and told him, That if he proceeded againſt the Popes will, he could not preuaile: but Catesby refuſed and ſaid, He would not take notice of the Popes pleaſure by him. Notwithſtanding hee ſhewed to Catesby the generall Letter which he had receiued from Rome, but ſaid, hee would informe the Pope, and tell Garnet alſo in particular what attempt hee had in hand, if hee would heare it; Which afterwards hee offered to doe, but Garnet refuſed to heare him, and at two ſeuerall times requeſted him to certifie the Pope what he intended to doe.

And when Sir Edmond Baynham (as hee pretended) was to goe ouer into Flanders for a Souldier, Garnet thought good to ſend him to the Popes Nuncio, and to commend him to other friendes of his, That they ſhould ſend him to informe the Pope of the diſtreſſed eſtate of Catholiques in England: The rather, that the Pope hauing a Lay-man there, might be acquainted with all their proceedings; And that Baynham might then learne of the Pope, what courſe hee would

aduise the Catholiques in England to take for their owne good, but wished Baynham in no case to vse Garnets name to the Nuncio in that behalfe.

Then were the two witnesses called for, Both of them persons of good estimation, that ouer heard the Interlocution, betwixt Garnet and Hall the Iesuite, viz. M. Fauset a man learned and a Iustice of Peace, and M. Lockerson: but M. Fauset being not present, was sent for to appeare, and in the meane time M. Lockerson who being deposed before Garnet, deliuered vpon his Oath that they
„ heard Garnet say to Hall, They will charge me
„ with my Prayer for the good successe of the great
„ Action, in the beginning of the Parliament, and
„ with the Verses which I added in the ende of my
„ Prayer,
„ Gentem auferte perfidam
„ Credentium de finibus,
„ Vt Christo Laudes debitas
„ Persoluamus alacriter.
„ It is true indeede (said Garnet) that I prayed for
„ the good successe of that great Action: but I will
„ tell them, that I meant it in respect of some sharper Lawes, which I feared they would then make
„ against Catholiques; and that answere shall
„ serue well enough.

Here Garnet replied, That for the two Gentlemen that heard the Interlocution, he would not charge them with Periurie, because hee knewe them to bee honeſt men; yet hee thought, they did miſtake ſome things, though in the ſubſtantiall parts, he Confeſſed, hee could not denie their relation. And for the maine Plot, he confeſſed that hee was therewithall acquainted by Greene well particularly, and that Greene wel came perplexed vnto him to open ſome thing, which M. Catesby with diuers others intended: to whom he ſaid, hee was contented to heare by him, what it was, ſo as he would not bee acknowen to M. Catesby, or to any other, that he was made priuie to it. Whereupon father Greene wel told him the whole Plot, and all the particulars thereof, with which he proteſted, that hee was very much diſtempered and could neuer ſleepe quietly afterwards, but ſometimes prayed to God, that it ſhould not take effect.

To that the Earle of Salisbury replied, that hee ſhould doe well to ſpeake cleately of his deuotion in that point; for otherwiſe he muſt put him in remembrance, that he had confeſſed to the Lords, that he had offered ſacrifice to God for ſtay of that Plot, vnleſſe it were for the good of the Catholike cauſe; and in Earl. of Sal.

no other fashion (said his Ll.) was this State beholding to you for your Masses and Oblations. Adding thus much further, That hee wondred why he would not write to his Superiour *Aquauiua*, as well of this particular Powder Treason, as to procure prohibition for other smaller matters.

Garnet. *Garnet faintly answered, he might not disclose it to any, because it was matter of secret confession, and would endanger the life of diuers men.*

Erl. of Nor. Whereunto the Earle of Northampton replied, that that matter of Cõfession, which before he refused to confesse, because he would saue liues, hee confessed it now to endanger his owne life, and therefore his former answere was idle and friuolous.

Garnet. *Then Garnet told the Lords, that he commanded Greenewel to dissuade Catesby, which hee thought hee did; and if Catesby had come to him vpon Allhallowday, hee thought he could so farre haue ruled him, as hee would haue beene perswaded to desist.*

Earl. of Sal. Then said the Earle of Salisbury, Why did you refuse to heare *Catesby* tel you all the particulars, when he would haue told you, if you had beene desirous to preuent it?

Garnet

Garnet replied, That after Greenwel had told him, what it was which Catesby intended, and that he called to minde what Catesby said to him, at his first breaking with him in generall tearmes, his soule was so troubled with mislike of that particular, as he was loath to heare any more of it. Garnet.

Well then (said the Earle of *Salisbury*) you see his heart, and then turning to the Lords Commissioners: hee desired leaue of them, that hee might vse some speech concerning the proceeding of the State in this great cause from the first beginning vntill that houre, and so began to this effect: That although the Euidence had bene so well distributed and opened by M. Attorney, as hee had neuer heard such a masse of matter better contracted, nor made more intelligible to the Iury, to whome it was not his part to speake, nor his purpose to meddle with M. Garnet in Diuinitie, or in the doctrine of Aequiuocation, in which latter he saw how he had played his Master-prise; yet because he had bene particularly vsed in this seruice with other of the Lords Commissioners, by whom nothing was more desired next the glory of God, then to demonstrate to the world with what sin- Earl. of Sal.

ceritie and moderation his Maiesties Iustice was caried in all points, he would be bolde to say somewhat of the manner of this Arraignment, and of the place where it was appointed. For the first, hee said, that seeing there was nothing to whit h this State might more attribute the infinite goodnesse and blessings of God, then to the protection of the true Religion which had groaned so long vnder the bitter persecutions of men of his profession; hee confessed, that hee helde himselfe greatly honoured to be an Assistant amongst so many great Lords, at the Seate of Iustice, where Gods cause should receiue so much honour, by discrediting the person of Garnet, on whome the common Aduersarie had thought to conferre the vsurpation of such an eminent Iurisdiction: For otherwise who did not know, that the qualitie of poore H. Garnet might haue vndergone a more ordinarie forme of Triall, and happily in some other place of lesse note and obseruation? and so his Lordship tooke an occasion to declare, that the City of London was so deare to the King, and his Maiesty so desirous to giue it all honour and comfort, as when this

opportunitie was put into his hands, whereby there might be made so visible an Anatomie of Popish doctrine, from whence these Treasons haue their source and support, hee thought hee could not choose a fitter Stage, then the City of London, which was not onely rightly tearmed, The Chamber of his Empire, but was by his Maiesty esteemed as his greatest and safest Treasurie, who accounteth no Riches comparable to his Subiects Hearts, and acknowledgeth that such a circuit did neuer containe so many faithful Subiects within the walles: A matter well appearing to his owne Eyes amongst others, vpon the decease of the late Queene of precious memory, when hee attending most of the Peeres and priuie Counsellers of this Kingdome, who were accompanied with no small number of Noble and faithfull Gentlemen, had seene them all stayed from entry within the gates of this City, vntill they had publiquely declared with one voice, That they would liue and die with the King our Soueraigne Lord. To you therefore M. Garnet (sayd the Earle of Salisbury) must I addresse my speech, as the man in whome it appeareth

best what horrible Treasons haue bene couered vnder the mantle of Religion, which heretofore had been petty Treason for a Protestant to haue affirmed: such hath bene the iniquitie of false tongues, who haue alwayes sought to probue the Truth a liar: of which impudent calumnies the State is so tender, as you doe best know (M. Garnet) that since your apprehension euen till this day, you haue bene as Christianly, as courteously and as carefully vsed, as euer man could be of any qualitie or any profession: yea it may truely be said, that you haue beene as well attended for health or otherwise, as a nurse child. Is it true or no, said the Earle?

Garnet. *It is most true (my Lord) said Garnet, I confesse it.*

Earl. of Sal. Well then (said the Earle) if your strange doctrine of Equiuocation bee obserued, and your hardines of heart to denie all things, let it not be forgotten, that this Interlocution of yours with *Hall* ouerheard by others, appeares to be *Digitus Dei*: for thereby had the Lords some light, & proofe of matter against you, which must haue bin discouered otherwise by violence and coertion, a matter ordi-

nary in other Kingdomes, though now forborne here: but it is better as it is for the Honour of the State, for so were your owne wordes, that you thought it best to tell the trueth at last, when you saw you were confounded *Tanta nube teſtium.* In which I proteſt, that I doe confidently assure my ſelfe, that you would as easily haue confeſſed your ſelfe to be author of al the Action, as the Concealer, but that his Maieſtie, and my Lordes were well contented to draw all from you without racking, or any ſuch bitter torments. Then ſpeaking to Garnet, he ſaid, I pray you, M. Garnet; What encouraged Catesby that hee might proceed, but your reſoluing him in the firſt Propoſitiõ? what warranted Fawkes, but Catesbies Explication of Garnets arguments? as appeares infallibly by Winters confeſsion, and by Fawkes, that they knew the point had bin reſolued to M. Catesby, by the beſt authoritie.

Then Garnet anſwered, that M. Catesby was to blame to make ſuch Application. *Garnet.*

To that the Earle replied, that hee muſt needs be bold with him, to driue him from the truſt hee had, to ſatisfie the world by his de- Earl. of Sal.

nialls, by putting him in minde, how after the Interlocution betwixt him and Hall, when hee was called before all the Lords, and was asked, not what hee said, but whether Hall and hee had conference together, desiring him not to Equiuocate; how stiffely hee denyed it vpon his Soule, reiterating it with so many detestable execrations, as the Earle said, it wounded their hearts to heare him, and yet assoone as Hall had confessed it, hee grew ashamed, cryed the Lords mercie, and said, hee had offended, if Equiuocation did not helpe him.

Garnet. *To this Garnet answered, that when one is asked a question before a Magistrate, hee was not bound to answere before some witnesses hee produced against him,* Quia nemo tenetur prodere seipsum. *Then Garnet falling into some professions of his wishing to his Maiestie, and being put in minde of the answere hee made concerning the Excommunication of Kings, wherein hee referred himselfe to the Canon of* Nos Sanctorum, *hee answered that his Maiestie was not yet Excommunicated.*

Earl. of Sal. Then the Earle of Salisbury bad him deale plainely, for now was the time, Whether in case

caſe the Pope *per ſententiam Orthodoxam*, ſhould Excommunicate the Kings Maieſtie of great Britaine, his Subiects were bound to continue their obedience?

To this hee denyed to anſwere, by which the hearers might ſee his mind.

From that matter hee began to make requeſt, that where he had confeſſed the receiuing of two Brieues or Bulls from the Pope, in the Queenes time, by which all Catholikes were forbidden to adhere to any Succeſſor that was not obedient to the Church of Rome: his Maieſtie would bee pleaſed to make a fauourable interpretation, becauſe he had ſhewed them to very few Catholiques in England, in the Queenes time; and when he vnderſtood that the Pope had changed his minde, then he burnt the Buls.

To that it was ſaide, that belike the Pope changed his mind, when the King was ſo ſately poſſeſſed of his Eſtate, and Garnet with his complices began to feele their owne impietie, and ſo as Catesby ſaid to Percy, did reſolue roundly of that Treaſon, which would ſpeed all at once.

Then Garnet beganne to vſe ſome ſpeeches Garnet.

that

that hee was not consenting to the Powder-treason.

Earl. of Sal. Whereupon the Earle of Salisburie sayd, M. Garnet, giue mee but one Argument that you were not consenting to it, that can hold in any indifferent mans eare or sense, besides your bare negatiue. But Garnet replyed not.

M. Atturn. Then M. Atturney generall spake in answere of Garnet more particularly, to this effect. 1. For Equiuocation, it is true indeed that they doe outwardly to the world condemne lying and periury, because the contrary were toopalpable, and would make them odious to all men: But it is open and broade lying and forswearing, not secret and close lying and periurie, or swearing a falshoode which is most abominable, and without defence or example. And if they allow it not generally in others, yet at least in themselues, their confederates and associates in treasonable practises, they will both warrant and defend it, especially when it may serue their turne for such purposes and endes as they looke after. 2. Concerning the vsurped power of the Pope in deposing of Princes, neither is it the generall doctrine of the Church,

as he falſly ſaid, neither allowed or tollerated by all Princes, who are otherwiſe of their Religion, as may appeare out of the French diſcourſe written to the French King againſt the re-admitting of the Ieſuiticall faction. And whereas he would picke a thanke in ſeeming to ſpare and exempt King *Iames* our Soueraigne, It is not poſsible to auoyd their diſtinction of being excommunicated *de Iure*, if not *de facto*, howſoeuer if it be true alſo, that the Pope doeth *de facto* euery yeere once curſe all heretickes. For Recuſants not going to Church, the example of the Catholicks not ioyning in ſeruice and prayer with the *Arrians*, who denied a maine Article of the Chriſtian Creed, doeth no wayes hold, neither can it agree to vs, of whom no ſuch impious blaſphemy can bee ſhewed or imagined. That *Garnet* ſaid, hee knew ſome, who before the Bull came, went not to Church, it may be true perhaps in ſome one or two peruerted & peruerſe men like himſelfe; But whereas he produced the Councell of *Trent*, as if there the matter had bene determined, and thereupon inferreth, that after that all Romiſh Catholicks refuſed to meete with vs at Church in

time of prayer, it is a groſſe error: for the laſt Seſsion ſo that Councell was in the yeere of our Lord 1563. which was in the fift yeere of Queene *Elizabeth*, whereas I ſhewed, and am able to iuſtifie and proue, That th:ir Romiſh Engliſh Catholicks came to our Seruice in our Churches vntill the xix. yeere of her Maieſty, which was many yeres after that Councell was ended.

Concerning Garnet himſelfe: firſt, for that anſwere of his, that he knew of the Powder Treaſon by Confeſsion, it is true which before was ſpoken, that ſuch Actes as this is, *Non laudantur niſi peracta*, are then onely commended, when they are performed: but otherwiſe, firſt, Greenwels was no Sacramentall confeſsion, for that the Confitent was not penitent: nay himſelfe hath clearely deliuered vnder his hand, That the Powder Treaſon was told him not as a fault, but by way of conſultation and aduiſe. 2. It was a future thing to be done, and not already then executed. 3. Greenwell told it not of himſelfe that he ſhould doe it, but of Fawkes, Percy, Catesby, Winter and others, and therefore he ought to haue diſcouered them, for that they

they were no Confitents. 4. He might and ought to haue diſcouered the miſchiefe, for preſeruation of the State, though he had concealed the perſons. 5. Catesby told it vnto him *extra confeſſionem*, out of confeſsion, ſaying, they might as well turne him out, as haue kept him out. Laſtly, by the Common Law, howſoeuer it were (it being *crimen læſæ Maieſtatis*) he ought to haue diſcloſed it. Now for that Garnet denyed, that he was a principall Author and procurer of this Treaſon, but only that hee had receiued knowledge thereof; the contrary is cleare and manifeſt, both out of his own Confeſsions, by himſelfe acknowledged, and apparantly prooued in that hee reſolued Catesby concerning the lawfulneſſe and merit thereof, and that he prayed for the good ſucceſſe of the Powder-treaſon, which is more then either conſultation or conſent: beſides hee muſt remember him of the olde Verſicle, *Qui non prohibet quod prohibere poteſt, conſentire videtur*: Garnet might haue commanded Greenwel that told him of the Powder-treaſon, to haue deſiſted, but did not: But Greenwell went ſtill on with the Treaſon, and when it was diſcloſed, went into the

Countrey to moone rebellion, which doubtleſſe hee would neuer haue done, if Garnet had forbidden him; therefore he ſaide, hee might ſay with the Orator *Tully*, *Cui adſunt teſtimonia rerum, quid opus eſt verbis?* Moreouer M. Atturney added, how Garnet writ firſt for Thomas Winter, then for Kit Wright, after that for Guy Fawkes, then for ſir Edward Bainham, and afterwards for Catesby for a Regiment of horſe, and that Garnet was for the *Infanta*, and by his Breues intended to keepe out the King, except he ſhould tollerate and ſweare to maintaine the Romiſh Religion. Then M. Atturney ſpake of the interlocution betwixt Garnet and Hall, and ſaid, that in all their ſpeeches they neuer named God, nor confeſſed their innocencie: But aſſoone as they ſpake together, Hall ſpake firſt, and then Garnet ſaid, hee ſuſpected one, whoſe name they that were ſet to ouerheare them, could not heare, to haue diſcloſed ſomething againſt them: But it may be otherwiſe, for he ſaid hee was much ſubiect to that frailty of ſuſpition. Hee ſaid hee receiued a note from Rookwood, that Greenwell was gone ouer ſeas; and another, that Gerard was gone to

father Parſons, and that Miſtriſſe Anne was in Towne (meaning Miſtreſſe Anne Vaux) and many other things were by them vttered in that conference.

By this time came in M. Forſet, who being depoſed, affirmed likewiſe, that their examination, and the matter therein contained were true; Saying further, that both of them tooke notes of that which they heard from Garnet and Hall, as neere as poſsibly they could, and ſet downe nothing in their examinations, but thoſe things, wherein both their notes, and perfect memories agreed & aſſented, and that many things that were very materiall, and of great moment, were left out of their examinations, becauſe both their notes & memories did not perfectly agree therein.

And now one of the Letters, which were written with ſacke, was ſhewed to the Court, by which appeared that Hall and Garnet had interlocution together. M. Atturney here inferred that the neceſſary end of Iuſtice was, *vt pœna ad paucos, metus ad omnes perueniat*, and vrged the examination of Garnet, wherein hee confeſſed that when Teſmond *alias* Greenwell, made relation to him of the great

blow by the Powder treaſon, who ſhould haue the protection, Greenwel ſaid, the Lords that ſhould be left aliue ſhould chooſe a Protector. And further M. Atturney vrged the writing of an other letter written with ſacke to Sayer, *alias* Rockwood a prieſt in the Gatehouſe; But of this point much is formerly mentioned.

Here M. Atturney ending, my Lord of Northampt. ſpake to the priſoner this ſpeech following.

Erl. of Nor. THough no man aliue can bee leſſe apt or willing then my ſelfe, to adde the leaſt graine or ſcruple of improuement to the weight of any mans calamitie that groanes vnder the heauy burthen of a diſtreſſed ſtate, *Vel grauatis addere grauamina*, whereof I haue as many witneſſes as the world hath eyes: yet as the caſe ſtands now in this triall, M. *Garnet*, betweene my deare Soueraigne, *ex cuius ſpiritu* as one of *Alexander* ſaid, *Nos omnes ſpiritum ducimus*, and you that were ſo well content to let the courſe of conſpiracie runne forward to the ſtopping of this breath before the time, which God by nature doeth preſcribe betweene his honour, and your errour, his iuſt proceedings and your painted ſhewes, his ſinceritie and your hypocriſie; I could wiſh it poſſible, that in a perſon of ſome other qualitie, you might heare the Ecchoes of your vnperfect and weake

weake anſweres, and thereupon iudge more indifferent y and euenly of the true ſtate of your cauſe then you haue done hitherto, being diſtracted with feare or foreſtalled by preiudice, or, to borrow your owne phraſe, which is more proper to the point then any I can vſe, oppreſſed *tanta nube teſtium*, with ſo thicke a cloud of witneſſes, as concurre with one voice, heart and ſpirit, for the conuiction of your audacitie.

I confeſſe that neuer any man in your ſtate gaue leſſe hold or aduantage to examiners then you haue done in the whole courſe of proceeding to vs that were in Commiſsion: ſometime by forſwearing, as vpon the confeſsion of *Hall* your fellow: ſometime by diſſembling, as about the places of your *Rendez vous*, which was the lapwings neaſt: ſometimes by earneſt expoſtulation: ſometime by artificiall Equiuocation: ſometime by ſophiſticating true ſubſtances: ſometime by adding falſe qualities: yet *ſat ſupereſt*, as may appeare, to the defeat of your inuentions, and the defence of the Kings Maieſtie *quia magna eſt veritas & prævalet*.

Your parts by nature ſimply conſidered, and in another perſon, would rather mooue compaſſion, then exaſperate humanitie: for whō would not the ruine of ſuch a perſon touch, as is in apparence temperate, and in vnderſtanding ripe? But our end at this time is the ſame with *Decius* in *Liuie, vt quem vos obrutum reliquiſtis ignem, &c.* that we may quench that fire by preuention, which you

you haue onely raked vp in aſhes, *vt nouum daret incendium*, that it might cauſe a new combuſtion ſo ſoone as it might hit vpon matter that were fit and ſutable. Wherefore I muſt rather draw your anſweres to the true touch for diſcharge of rumors, then *verberare aerem*, beat the aire: For the ſubſtance of all your euaſions and flye ſhifts, is as the Innekeeper of *Chalcis* confeſſed of his diſhes to his gueſts, admiring *tantam ferculorum diuerſitatem*, that they were onely compounded of porke, howſoeuer your fine cookery may vary them.

The two Bulls that in the late Quęenes time entred the land (with a purpoſe by their lowde lowing to call all their calues together, for the making of a ſtrong party, at the ſhutting vp of the euening againſt our dread Soueraigne) were graſed in your paſtures M. *Garnet*, or to ſpeake more properly (becauſe they durſt neither endure the light, nor admit the aire) they were ſtaull-fed at your crib, as your ſelfe confeſſe, and therefore *Serue nequam ex ore tuo te iudico*. And what anſwer make you to this? mary that the purpoſe was imparted to very few: ſo much the worſe: For out of publication growes diſcouery, and yet experience hath iuſtified, that thoſe very few were the very ſoules and ſpirits of that packe of Conſpirators, and ſuch as for want of patience and temperance to tary the time, when the game had bene brought to bearing, ſhould haue played the chiefeſt parts in the late ſmoaking Tragedie. You ſay the Bulls were after ſacrificed in the fire by your ſelfe.

ſelfe. But not before the Kings good Angel had cut their throats? and the beſt part of their prooſe were paſt, and your hopes dead of that good which in likelyhood they ſhould haue brought with them. For to what vſe could theſe dumbe beaſts ſerue in ſeeking to preuent that lawfull and vndoubted right, which heauen had now proclaimed, and earth acknowledged? But let the prooſe be what it will, I looke into the roote. I wonder M. *Garnet*, what Apoſtle warrants you in vndertaking wicked plots, in hope that good may follow; neglecting what all Lawes (and the Lawes of *England* aboue all) what all States and Nations conclude of men, that ſlily practiſe, and combine for anticipation of the future rights of lawfull Succeſſors.

In excuſe of letters written with your owne hand by *Thomas Winter* to father *Creſwell*, when hee was employed about the procurement of an Army to inuade with ſupplies of treaſure proportionable for the quicker execution of ſo deſperate an enterpriſe, you anſwer, that the perſons were commended in your letters, not the plot. *ſpectatum admiſſi riſum teneatis amici?* as though the miniſter had any other errand or inſtruction, then the maine plot it ſelfe: as though you, *M. Garnet*, being then *Magiſter* in *Iſrael*, & *Rector chori*, could or would be ignorant of their prefixed ende; as though ſo graue a perſon as your ſelfe, were likely to ſet his hand to blancks like a baby, and to leaue the reſt to the diſpoſition of a man wholly

transported with fiery humors: Or as though in this very point other mens confeſsions in particuler beſide your owne in generalitie, had not left vs markes and traces euident and plaine ynough to deſcry doubleneſſe with diuerſitie. You confeſſe priuitie to a practiſe, but not for an Army: foreknowledge of a courſe for getting treaſure, but with a purpoſe, as you conceiued, to employ it wholly for the reliefe of Catholicks. So as the reaſon of the reſeruedneſſe of *Catesby*, *Winter* and the reſt toward you, muſt bee vndoubtedly their ſuſpition of your ouer great affection and duety to the Queene; For otherwiſe it is certaine they would haue truſted you as well with their intention, as with their meanes: with their hopes, as with their inſtruments: eſpecially conſidering how hard it was for them to compaſſe their owne vaſte deſires, without helpe both of your credite, and of your induſtry.

Wright was in like maner, and with like expedition commended by you afterward: for the quickening of *Winters* proiect, if any life were in it, vpon the ſlacking of the paſsions of *Spaine*, with the propoſitions of peace, that no time might be loſt, no ſtone left vnremoued that might giue a knocke to the peace of our pollicie: your head wrought vpon all offers, your hand walked in all Regions, your ſpirit ſteered all attempts and vndertakings: and yet if proteſtations, qualified and protected by Equiuocations, may cary weight; al this while your minde was, as good paſtors ought

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to be, patient, your thoughts were obedient, and your counsels innocent. But now to search your cunning somewhat neerer to the quicke, wee must obserue, that when your hopes of inuasion began to coole by likelyhood of peace, your desires of supplies by the cold answeres that came from *Spaine*, your expectation of new mischiefe to bee wrought at home without complotts abroad: when malice it selfe was cast into so desperate a swoune, as neither *Rosa solis* when *Spaine* relented, nor *Icabah* when *Tyrone* submitted, nor dissension within the kingdome when discontentments ended, could put it by any fresh aduenture into life, when you for your owne part *M. Garnet*, hauing bene once washed and regenerated in the fountaine of the Kings free Pardon, frō the leprous spots of former Treasons, were determined to begin vpon another stocke, & returne as a dog to the vomit: (though washing can auaile no man (as the Preacher warnes) that *iterum tangit mortuum*, toucheth the dead the second or thirde time after he hath bene made cleane:) for secretly *Catesby* resorts to you, as *Mahomet* might to *Sergius*, (for now I speake according to the matter, and not the men) to enquire whether it were lawfull, considering the necessitie of the time, to vndertake an enterprise, for the aduancement of the Catholicke religion, though it were likely that among many that were nocent, some should perish that were innocent. A man that is religious in any kinde, or but morally honest in his

owne kinde, would expect that a prieſt, a *Ieſuite*, (which title doeth imply ſaluation, and not deſtruction, nay, the Superiour of Engliſh *Ieſuits*) vpon this raſh demaund, ſhould haue reſorted for a ſafe reſolution to Gods owne Booke, where he ſhould haue found that God was pleaſed to withdraw his wrathfull hand from *Sodome*, ſo as there had bene onely *decem iuſti*, ten iuſt men within that towne, and for their ſakes; that the wiſe houſholder in *S. Matthew*, marking how hard it would be when the corne was ripe to make ſeparation, gaue order to his ſeruants to abſtaine from plucking vp the tares, *ne ſimul eradicarent triticum*, leaſt withall they plucked vp the wheat by the rootes. Yee ſhould haue found in the ſtories of the Church, that the godly Biſhops in the firſt ſpring of Religion, ſuſpended proceſſe againſt the *Priſcillian* heretickes, *ne Catholici cum illis perirent*, leaſt the Catholicks might alſo periſh with them. And the Church of *Millain* taxed *Theodoſius* the Emperour, *quod inſontes vnà cum ſontibus trucidaſſet*, that he had proceeded both againſt the guilty, and the guiltleſſe with one ſtroke, and in one meaſure of ſeueritie. But farre beſide the warrant either of Holy writ, or holy preſedents, your anſwere *M. Garnet* was ſuch, as I both abhorre to thinke, and quake to vtter, that if any great aduantage were to grow to the Church this way, they might deſtroy them all.

Tantæne animis cœleſtibus iræ? O *M. Garnet*, be not offended though I aske of you, as a worthy Empe-

Emperour did once of a Traitor in a caſe by many degrees inferior to this, *Quid facit in pectore humano lupi feritas, canis rabies, ſerpentis venenum?* But that which ought moſt to torture and afflict the ſpirit (if you be the childe of him, whoſe name and badge you beare) is, that your doctrine was confidently deliuered, and ſo ſpeedily digeſted, and conuerted to nutriment from ſuch a mouth as yours, conſiderring that (according to the Prophet,) knowledge ſhould depend vpon the lippes of the Prieſt, as *Rookwood*, *Bates* and others, that did ſhrinke at the horror of the proiect when it was firſt layd downe, receiued ſatisfaction vpon the very ſound of your aſſent, though masked with the title of a man as graue and learned, as any in the land. And *Catesby* doubting of the fickleneſſe of mens affections, in caſes that concerne the ſoule, vſed your admittance as a charme or ſpell, to keepe quicke ſpirits within the circle of combined faith, which otherwiſe perhaps when hell brake looſe, would haue ſought liberty. Your Charter onely (whereupon I beſeech you for your owne ſoules health, to meditate for the time you tary in this world) was the baſe whereon ſome grounded their bad conſcience in proceeding with this plot, not onely to the deſtruction of their bodies, but to the perill of their ſoules without ſound & true repentance, which by the merit of Chriſtes paſsion, will ſerue in *quacunque hora peccator ingemuerit*. For though Chriſt were ioyfull that hee had not loſt one of thoſe

whom his father gaue him in charge, and came to ſaue & not to deſtroy; yet your aduiſe was to deſtroy them all: Such was your burning charitie.

Some man ſurpriſed with a queſtion vpon the ſudden, might anſwere ſharply and ſhrowdly at ſome time, I confeſſe, without thinking or intending ill: But this man, *M. Garnet*, cannot bee you, that haue confeſſed clearely vnder your owne hand, your ſuſpition & feare of ſome miſchiefe purpoſed and intended in their hearts, by this quicke queſtion of Nocents and Innocents: and therefore *quod dubitas ne feceris.* It ſeemes the heart of *Catesby* was a fertile ſoile for ſprowting of ſtincking weeds haſtily, into which the ſeed of your ſecuring confidence was caſt. For the powder plot which in Ianuary was barely *embrio*, became *formatus fœtus* in the March next following, it quickened the next December, when the Pioners began to digge in the thicke wall: *Catesby* not long after imparted his conceipt ſecretly to you of the great likelyhood hee foreſaw of a lucky time of birth, and thereupon was *Guy Fawkes* ſent ouer by your knowledge and encouragement, to deale with Sir *William Stanley*, about the drawing downe of forces ſomewhat neerer to the Seaſide for ſpeedy tranſport, which if need were, might cary torches at the ſolemnitie. But what is your anſwere to this employment of *Guy Fawkes?* Forſooth that your purpoſe was onely, to commend him as a Souldiour, but not as a Conſpirator. O vnlucky Treaſon, that comes to be excuſed by ſo

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poore an aduocate! when *Fawks* himſelfe meant nothing leſſe then to bee a Souldier, hauing ſo ſtrange a part to play ſoone after in the Powder traine, but vſed this retreat as a colour to diſguiſe the ſecret purpoſe that did onely tary time, and to eſchew thoſe watchfull eyes, that nearer hand would haue obſerued both his inlets, and his outlets in that place more narrowly. The point is cleare, the confeſsions are direct, the purpoſe is palpable. All the lines of your leauell are drawne to the Centre of the Powder mine. All letters are either drawen or enterlined *manu Scorpionis*, to vſe the word of *Hierome*; and yet vnder paine of cenſure we muſt beleeue, That all this while you were in charitie, becauſe all this while (which it grieues me to remember) you were not afraid to communicate.

But now to weigh your anſweres that concerne the Powder plot it ſelfe, which is *paramount* in reſpect of the Longitude and Latitude to all that haue bene or ſhal euer be; Your ſelfe cannot deny *M. Garnet*, that *Greenwells* ouerture as you ſay in cõfeſsion, comming after the notice which you tooke of *Catesbyes* queſtion about Innocents, was but a fruit of your owne doctrine, an effect of your owne inſtruction, and a concluſion drawen wholly out of your owne propoſitions and principles. Now when we preſſe to know what reaſon drew you to the concealement of a proiect ſo pernicious both to Prince and State, without reuealing it either to the King himſelfe, *tanquam*

præcellenti,

præcellenti, to vſe *S. Peters* terme, or to his miniſters ſubordinate; you ſtart to the ſhift of Confeſsion for a formall helpe, which comes too ſhort in reſpect of *Catesbyes* firſt diſcouery, which your owne words auerre plainly to haue wrought with you. I will not argue in this place what courſe a Confeſſor ſhould take, or how far he ought to ſtraine for the ſecuring of a Princes life, that otherwiſe is ſure to periſh by the rage and ignorance inuincible of a baſe villaine, (whoſe life anſwers not in value the leaſt haire of a Princes head,) becauſe time ſuffers not: But I am ſure that for a matter of leſſe waight then this, and a crime of leſſe importance, then the life both of Prince and State, Confeſsion receiued a deepe wound for a long time, more then a Thouſand yeeres paſt, in the Church of *Conſtantinople*. For God forbid that matters of ſuch waight, ſhould hang by ſuch feeble threeds. But to this excuſe of tendernes in the point of Confeſsion, I would anſwere by making a great doubt, Whether this courſe of conference were a Confeſsion or not: for againſt your bare words which Equiuocation ſupports, I obiect ſome likelyhood, That ſince you kneeled ſometimes, and ſometimes walked vp and down, Since matter of conſpiracie were enterlaced with matter of Confeſsion, not for eaſe of conſcience as ſhould appeare, but for aduice in execution; Since *Greenwell* was abſolued inſtantly, which excludes the ſhift of reference; and *Greenwel* ſhould be found to lye to the holy Ghoſt

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in caſe this were a true confeſsion; in promiſing (maſter *Garnet*) as you ſay, to diſwade the proiect which hee proſecuted euen to the laſt point as is euident: And after the powder campe brake vp: I conclude, that though this diſcouery were by confeſsion, yet it was no *Superſedeas* to your former knowledge from *Catesby* your truſty friend: and if it were none, then it can be no protection for faith putrified. What needs wee ſeeke light through copweb-lawnes, when the drift of your whole deuice in ſeeking to conceale from one what you learned of another, and from all what you affected and abbetted in your heart, doth euidently prooue your counſels to haue been carried along with ſuch a temper of reſeruednes, as whēſoeuer miſchiefe ſhould be brought to light, the world might rather wonder at your caution then commend your fidelitie?

By ſhaping ſuch weake anſweres to demonſtrations ſo manifeſt, you muſt either worke by the ring of *Giges* in making your audacitie and preſumption inuiſible, or hold a very weake conceipt of our capacities, in ſuppoſing that they can be either daſelled or deluded by ſuch poore ſophiſtrie. For though you pretend to haue receiued a deepe wound in conſcience at the firſt reuealing of the plot, to haue loſt your ſleepe with vexation of ſpirit, to haue offered and prayed to God for his preuenting grace, to haue required *Greenewels* helpe and furtherance in croſsing and diuerting the deſigne: yet all this while you ſuf-

ſtred the proiect to proceed, you helped and aſſiſted their endeuours that were laboters, you wrote earneſte letters both to *Baldwin* and to *Creſwell* for their furtherance of ordinary means: you gaue order for a prayer to be ſaid by *Catholickes* for their proſperous ſucceſſe: you kept meaſure with the two firſt dimenſions of Frier *Bacons* braſen head, Time is, Time was, till (thanks be to God) the third Time was paſt: you had euer an eare open to liſten for the cracke, and were in the ſame agonie for the powder plot, that *Charles* the fift was for the *Popes* dureſſe, giuing order in all his dominions that praiers ſhould be made for his releaſe, when in the meane time he kept and held him in his owne hand priſoner: the leaſt word of your mouth or labour of your pen might haue ſecured both Prince and State, while you pretend to haue broken both your ſleepes and your braines, and that with a greater aduantage to the cauſe which you would aduance, then can euer growe by combuſtion and conſpiracie. But your tenderneſſe herein was ſutable with another dutifull deſire of yours to diſwade *Catesby* from the plot, at his comming into Warwickeſhire, who neuer meant to come thither: but as to the *Rendeſvous* when the Parliament had beene blowen vp, and the ſtorme had beene blowen ouer. It may be that your minde was perplexed and diſquieted vpon the meditation of ſtrange euents, for ſo was the minde of *Caine Achitophel*, and *Iudas* that betrayed his maſter, the reaſon is very pregnant in

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the word of God it ſelfe, That *cum ſit timida nequitia dat teſtimonium condemnationis:* ſince wickedneſſe is cowardly and timorous, it giues euidence of condemnation againſt it ſelfe, *& ſemper præſumit ſauæ perturbata conſcientiæ:* but Sathan preuailing his Angels execute.

I wil now conclude this addreſſe to you maſter *Garnet*, by obſeruing ſome ſpeciall points howe ſtrangely and prepoſterouſly the deuill in this laſt proiect of powder hath altered his olde properties. For the curſe that God laid vpon the ſerpent after the firſt tranſgreſsion was, *vt gradiretur ſuper pectus ſuum*, to creepe vpon his breaſt: but nowe we finde him mounted vpon the winges of an *Eſprite* to the higheſt region of the aire, and among the fire workes. The other part of his curſe was, that he ſhould eate *Puluerem*, that is duſt or powder: but now ſince *Sodome* was deſtroyed by *Sulphure*, and the wife of *Lot* tranſmuted into ſalt, the proper materials of that meane by which Sathan wrought in this hotte fire, it appeares that the Serpent from eating powder (which was a plaine deuiſe) fell, for a worſe purpoſe to ſnuffe gunpowder. Then the Serpent did *inſidiari calcaneo*: now *capiti*, from which the bodie draweth both ſence and influence. Then he began to *Eue* with a modeſt queſtiõ, *Cur præcepit Deus*, why hath God commanded? now with a reſolution, *Præcepit Deus* God hath commanded. His words in thoſe carried a flouriſh of great comfort, *Nequaquam moriemini*: but now terror, *Moriemini* for a great

aduantage destroy them all. The deuill at that time did onely nibble about the text of holy writ, *tanquam mus ponticus* as *Tertullian* termes *Martian*: but nowhe drawes the grounds of Equiuocation, concerning Princes liues out of the very scripture, & by scholasticall authority. Sathan tẽpted Christ with a fayre offer, *dandi omnia*, of giuing all vpon the top of the pinacle: But now he sets vpon the great Lieutenant of Gods authoritie and dignity with an *auferam tibi omnia*, both life and crowne, *ex penetralibus vbi Christus non est*, as we are taught by his Euangelist. The Dragons ambition extended no further then the sweeping away with his tayle of the third part of the starres in the firmament: But now the plot of him and his disciples, was to sweepe away the Sunne, the Moone, and the Starres, both out of Starre-Chamber and Parliament, that no light bee giuen in this kingdome to the best labourers. In the time of *Saul*, the Deuill was so modest, as to suspend his illusions and oracles till the visions of the Prophets began to cease: But now though we haue both *Moyses* and the Prophets, *et firmiorem sermonem propheticum*, yet he ruffles among the robes, *et inaudita fundit oracula*. In the beginning of the Christian Church, the very name of Christ was sufficient to make Sathan packe, and to quit the the possession of tormented men: but hee hath learned a more cunning tricke of late, vnder the banner of Christ to fight against the Lieutenants of his Imperial Maiestie. In one poynt I finde no change:

change: that is, in labouring and working by all meanes to draw men from their truſt in Gods direction, to a tickle kinde of confidence in themſelues, and their owne weake knowledge of good and ill. And as that error was the cauſe of *Adams* exile from Paradiſe, which was *hortus concluſus*: ſo had ſuch another almoſt diuided vs and our heires both from our liues and States, *Et penitus toto diuiſis orbe Britannis.*

I haue ſtood the longer on this poynt, to let you know how idlely, and yet how wilfully you ſtriue both againſt the prouidence of God, and the Iuſtice of the land, *Quæ tuo te iugulauit gladio*: The more you labour to get out of the wood, hauing once loſt the right way, the further you creepe in. For the wiſedome of the world is folly before God, and vnpoſsible it is, that thoſe counſels or proceedings, ſhould either haue good proofe in this world, or reward in the next, that are embrued with blood, and purſued with tyranny. If then there be no other way to heauen, then by the deſtruction of Gods anoynted and their heires, I will conclude with you, *M. Garnet*, as *Conſtantius* did with *Aſceſius*, *Erigito tibi ſcalam, & in cœlum ſolus aſcendito*: Set vp a ladder for your ſelfe, and climbe vp to heauen alone: for loyall mindes will not ſute themſelues with ſuch bad company. The worſt I wiſh to your perſon ſtanding now to be conuicted at the Barre, is remorſe and repentance for the ſafegard of your ſoule, and for the reſt, *Fiat iuſtitia, curat lex, et vincat veritas.*

Garnet. *Hereunto Garnet said, That he had done more then hee could excuse, and hee had dealt plainely with them, but he was bound to keepe the secrets of Confession, and to disclose nothing that he heard in Sacramentall confession.*

Erl. of Not. Whereupon the Earle of Nottingham asked him, if one confessed this day to him, that to morrow morning he meant to kill the King with a dagger; if he must conceale it?

Garnet. *Whereunto Garnet answered, that hee must conceale it.*

Earl. of Sal. Then the Earle of Salisbury desired libertie of him to aske him some questions of the nature of Confessions?

Garnet. *Garnet said, His L. might, and hee would answere him as well as he could.*

Earl. of Sal. Why then (said he) must there not be Cõfession and Contrition before absolution?

Garnet. *Yes (said Garnet.)*

Erle of Sal. Then he demaunded, whether *Greenwell* were absolued by him, or no?

Garnet. *Garnet said, He was.*

Earl. of Sal. The Earle then asked him, What *Greenwell* had done, to shew that he was sorry for it, and whether did he promise to desist?

Garnet. *Garnet answered, that Greenwell said, Hee would do his best.*

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To that the Earle replied, That it could not be ſo: for as ſoone as Catesby, and Percy were in Armes, Greenwel came to them from Garnet, and ſo went from them to Hall at M. Abingtons houſe, inuiting them moſt earneſtly to come and aſsiſt thoſe Gentlemen in that action. Hereby, ſaith he, it appeares, that either Greenwell told you out of Confeſsion, and then there needs no ſecreſie; or if it were in Confeſsion, hee profeſſed no penitencie, and therefore you could not abſolue him: to which the Earle added, That this one circumſtance muſt ſtill bee remembred, and cannot bee cleared, That when Greenwell told you what Catesby meant in particular, and you then called to minde alſo what Catesby had ſpoken to you in the generall before, if you had not bene ſo deſirous to haue the plot take effect, you might haue diſcloſed it out of your generall knowledge from Catesby: but when Catesby offered to deliuer you the particulers himſelfe, as he had done to Greenwel, you refuſed to heare him, leaſt your tongue ſhould haue betrayed your heart. Earl. of Sal.

To this Garnet weakely replied, That hee did what hee could to diſwade it, and went into War- Garnet.

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wickſhire with a purpoſe to diſwade M. Catesby, when hee ſhould haue come downe. And for M. Greenwels going to father Hall, to perſwade him to ioyne, Garnet ſaid he did very ill in ſo doing.

Earl. of Sal. To that the Earle of Salisbury replied, That his firſt anſwere was moſt abſurd, ſeeing hee knew Catesby would not come downe til the ſixt of Nouember, which was the day after the blow ſhould haue bene giuen, and Garnet went into the countrey ten dayes before. And for the ſecond, hee ſaid, That hee was only glad, that the world might now ſee, that Ieſuits were condemned by Ieſuits: and Treaſon and Traitors layd naked by the Traitors themſelues; yea Ieſuits by that Ieſuite, that gouernes all Ieſuits here, and without whom no Ieſuit in England can do any thing.

Garnet. *Garnet (as it ſhould ſeeme) being here mightily touched with remorſe of his offence, prayed God and the King, that other Catholickes might not fare the worſe for his ſake.*

Earl. of Sal. Then the Earle of Salisbury ſaid, M. Garnet, is it not a lamentable thing, that if the Pope, or *Claudius Aquauiua*, or your ſelfe, command poore Catholickes any thing, that they muſt obey you, though it bee to endan-

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ger both body and ſoule? And if you maintaine ſuch doctrine amongſt you, how can the King be ſafe? Is it not time therefore, the King and the State ſhould looke to you, that ſpend your time thus in his kingdome?

Garnet ſaid very paſſionatly, My Lord, I would to God I had neuer knowen of the Powder-treaſon. Garnet.

Hereupon the Lord chiefe Iuſtice of England ſaid, Garnet, you are ſuperior of the Ieſuites: and if you forbid, muſt not the reſt obey? was not Greenwell with you halfe an houre at Sir Euerard Digbyes houſe when you heard of the diſcouery of your Treaſon? and did you not there conferre and debate the matter together? Did you not ſend him to Hall to M. Abingtons houſe, to ſtirre him vp to goe to the Rebels, and encourage them? Yet you ſeeke to colour all this; but that's but a meere ſhift in you; and notwithſtanding all this you ſaid, No man liuing but one did know that you were priuy to it: Then belike ſome that are dead did know it. Catesby was neuer from you (as the Gentlewoman that kept your houſe with you confeſſed) and by many apparant proofs, and euident preſump- L. chiefe I.

tions you were in euery particular of this action, and directed & commanded the Actors, nay, I thinke verily, you were the chiefe that mooued it.

Garnet. *Garnet said, No, my Lord, I did not.*

Then it was exceedingly wel vrged by my Lord chiefe Iustice, how he writ his letters for Winter, Wright, Fawkes, Baynham, & Catesby, principall Actors in this matchlesse Treason. Besides his Lordship told him of his keeping the two Bulls to preiudice the King, and to doe other mischiefe in the Realme, which when he saw the King peaceably to come in, then being out of hope to doe any good, hee burnt them.

Here M. Atturney caused to bee read the Confession of Hall, *alias* Oldcorne the Iesuite vnder his owne hand (which he said was *Omni exceptione maius*) against him, wherein hee confessed, that Humfrey Littleton told him, that Catesby and others were sore hurt with Powder, and said that he was exceeding sory that things tooke no better effect; whereat Hall wished him not to bee discouraged, nor to measure the cause by the euent: For though the xj. Tribes of Israel went twice by

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the ſpeciall commaundement of God againſt the Tribe of Beniamin, yet they both times receiued the ouerthrow. So Lewis the French King in his voyage into the Holy land againſt the Infidels was ouerthrowen, and his whole Army diſcomfited, though his cauſe were good. And ſo likewiſe the Chriſtians, when they defended Rhodes againſt the Turkes, loſt the Citie, and the Turkes had the vpper hand. And this he confeſſed, and applied to the fact of Catesby and others for the Powder Treaſon, and ſaide, It would haue bene commendable when it had bene done, though not before.

After this M. Atturney opened, how Francis Treſham, a delinquent Romaniſt, euen in *articulo mortis* (a fearefull thing) tooke it vpon his ſaluation, That he had not ſeene Garnet in ſixteen yeres before, when Garnet himſelfe had confeſſed he had ſeene him often within that time: and likewiſe, that Garnet knewe not of the Spaniſh Inuaſion, which Garnet himſelfe cõfeſſed alſo, and which two things Treſham himſelfe had formerly confeſſed to the Lords; yet for a recantation of theſe two things vpon his death bed, he commanded

Vauasor his man, (whome I thinke (sayd M. Atturney) deepely guilty in this treason) to write a letter to the Earle of Salisbury: And to shewe this his desperate recantation, M. Treshams letter was offered to be read.

Earl. of Sal. But before the reading thereof, my Lord of Salisbury sayd, Because there was matter incident to him, and to that which should be read, he thought fit to say something. To whichpurpose hee sayd his desire was, truely to lay open, what cause there was for any faith to be giuen to these mens protestations, when they to colour their owne impieties, and to slaunder the Kings Iustice, would goe about to excuse all Iesuites, how foule soeuer, out of an opinion that it is meritorious so to doe, at such time as they had no hope of themselues. Such is it to be doubted that Sir Euerard Digbies protestations might be at the Barre, who sought to cleare all Iesuites of those practises, which they themselues haue now confessed *ex ore proprio*. That such was also Treshams labour, who being visited with sickness, and his wife in charitie suffered to come to him, this letter was hatched by them, and signed by himselfe some fewe houres before his death,

death, wherein hee taketh that vpon his ſaluation, which ſhall now by Garnet be diſproued.

Then the letter was read, being to this effect, That whereas ſince the Kings time hee had had his pardon, and that to ſatisfie the Lords who heretofore examined him, he had accuſed Garnet; that now, hee being weake, deſired that his former examinations might be called in, becauſe they were not true: and ſet downe vpon his ſaluation, that he had not ſeene Garnet in ſixteene yeeres before.

Then my Lord of Salisburie ſhewed and ſayd, It was a lamentable thing: for within three houres after he had done this, he dyed; and asked Garnet what interpretation hee made of this teſtamentall proteſtation? Earl of Sal.

Garnet anſwered, It may bee, my Lord, hee meant to equiuocate. Here was the examination and confeſsion of Miſtris Anne Vaux offered to be read alſo to confirme Treſhams periury, who confeſſed that ſhee had ſeene M. Treſham with Garnet at her houſe, three or foure times ſince the Kings comming in, and diuers times before, and that he had dined with him, and that Garnet alwayes gaue him good counſel, and would ſay ſome-

times to him, and others, Good Gentlemen, be quiet: for we muſt obtayne that which you deſire by prayer. She confeſſed alſo, that they were at Erith together the laſt Summer.

After all this, Garnet being demanded, if theſe examinations were true, he affirmed they were. And then were his owne examinations likewiſe read to the ſame effect, wherein he both confeſſed the ſeeing of M. Treſham, and his ſending into Spaine about an Inuaſion.

Earl. of Sal. Heere my Lord of Salisbury concluded, That that which was ſaid of M. Treſham, and others, was not done againſt charity to the dead, but vpon ineuitable neceſsity, to auoid all their ſlaunderous reports and practiſes: for he ſayd, that euen now there was currant throughout the towne, a report of a Retractation vnder Bates his hand, of his accuſation of Greenwel; which are ſtrange and grieuous practiſes to thinke vpon. But this day ſhall witneſſe to the world, that all is falſe, and your ſelfe condemned not by any but by your ſelfe, your owne confeſsions and actions. Alas, M. Garnet, why ſhould wee bee troubled all this day with you, poore man, were it not to make the cauſe appeare as it deſerueth? wher-

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in, God ſend you may be ſuch an example, as you may be the laſt Actor in this kind.

Hereupon my Lord Admirall ſaid to Garnet, that he had done more good this day in that Pulpit which he ſtood in (for it was made like vnto a Pulpit wherein he ſtood) then hee had done all the dayes of his life time in any other Pulpit.

Then was an other examination of Miſtris Anne Vaux read, wherein ſhe confeſſed, that M. Garnet and ſhee were not long ſince with M. Treſham, at his houſe in Northamptonſhire, and ſtaied there.

After this, my Lord of Salisbury ſaid, M. Garnet, if you haue not yet done, I would haue you to vnderſtand, that the King hath commanded, that whatſoeuer made for you, or againſt you, all ſhould be read, and ſo it is, and we take of you what you will. This Gentlewoman that ſeemes to ſpeake for you in her confeſsions, I thinke would ſacrifice her ſelfe for you to doe you good, and you likewiſe for her: Therefore, good M. Garnet, whatſoeuer you haue to ſay, ſay on a Gods name, and you ſhalbe heard. Earl. of Sal.

Then Garnet deſired the Iury, that they would allow Garnet.

allow of, and beleeue those things he had denied, and affirmed, and not to giue credit vnto those things whereof there was no direct proofe against him, not to condemne him by circumstances or presumptions.

Earl. of Sal. The Earle of Salisbury demanded of him, saying, M. Garnet, is this all you haue to say? if it be not, take your time, no man shall interrupt you.

Garnet. *To whom Garnet answered, Yea, my Lord.*

M. Atturn. M. Atturney humbly desired all the Lords Commissioners, that if hee had forgotten to speake of any thing material, that their Lordships would be pleased to put him in mind of it: Who was assured by my Lord of Salisburie, that he had done very well, painefully, and learnedly.

Then M. Atturney desired the Iury might goe together, who vpon his motion going together forth of the Court, within lesse then a quarter of an houre returned, & found Henry Garnet guilty.

Ser. Crook. Whereupon M. Sergeant Crooke prayed iudgement.

M. Waterh. Then M. Waterhouse the Clerke of the Crowne demaunding what he could say for him-

himſelfe, why iudgement ſhould not bee giuen againſt him?

Garnet made anſwere, that hee could ſay no thing, but referred himſelfe to the mercy of the King, and God Almighty. Garnet.

After this ſpake the Earle of Northampton to this effect.

THough ſome of *Platoes* followers, and thoſe not of the meaneſt ranke, haue rather apprehended in conceyte, then demonſtrated by ſtreight lines, That nothing is which hath not bene before. If it were poſsible to take right obſeruations out of true Records, and that all counſels and attempts as well as configurations and aſpects, returne as it were *ex poſtliminio*, by reuelation to the poynt from whence they firſt began: Yet if my *Ephemerides* fayle me not in ſetting vp the figure of this late intended plot, I may confidently pronounce with a graue Senator, *Repertum eſſe hodierno die facinus, quod nec Poeta fingere, nec Hiſtrio ſonare, nec Mimus imitari poterit*: So deſperatly malicious, and ſo vnkindly and vnſeaſonably fruitful is our age in producing monſters, when the force and heate of charitie decayes, and ſo violent are the damned ſpirits of Satans blacke guard now before the winding vp of the laſt bottome of terreſtriall affayres, in ſpinning finer threeds of practiſe and conſpiracie vnder the maske of piety & zeale, which the ſpirit of Erl. of Nor.

truth termeth most significantly *Spiritualia nequitia in cœlestibus.*

Vpon this ground I am moued at this instant, M. *Garnet*, to addresse my discourse to you, not so much in respect of your owne person, *aut quia te nostra sperem prece posse moueri* (though from my heart I pitie the shameful shipwracke of your obedience and conscience vpon so false a sande) as for their sakes that haue not yet learned in our Sauiour, that in one element a man cannot *duobus seruire dominis*: and withall in the King our Soueraignes behalfe, to exact at your hands (that hold the hearts of many followers by lease for life) a precise account of the liues of all those castawayes, *quos vel apud te perditos inuenit vel perit perdidit*. For either you that are an obiect vnto many watching eyes, may bee drawen by Gods grace working with my charitable wishes, to lament, not the bad successe (for so do men that are desperate) but the wicked purpose and intent of this crying sinne (which is proper only to the penitent) or bee brought so farre at the least out of the blacke deepes of induration, with the mother of *Petrus Lombardus*, as to be sory that you cannot be sory.

The streights of time, the length of the triall, and the wearinesse of the Auditors, may be and are great discouragements to such a discourse as craues time, and were better not begun at all, then not perfected. But since the Law and Prophets in this case in hand, stand chiefly as the ground-

worke

worke of depoſing Kings, and abſoluing ſubiects from that right which they owe to their owne naturall and lawfull Soueraignes by the lawes of God and man; I ſhalbe forced in diſcharge of duty at this inſtance, to borrowe ſo much time of theſe attentiue hearers, as muſt bee payd againe forthwith, to the ſeruice of the State: for otherwiſe, *væ mihi*, as the Prophet threatens, *quia tacui:* and yet wee may conclude with another of the ſame ranke, that *Etiam ſi ego tacuero clamabunt lapides.*

But firſt I am to let both you and the whole world know, that you are not called this day to the Barre for any matter of your conſcience, as ſome perhaps may publiſh out of rancour or peruerſitie of heart, to ſet a fairer gloſſe vpon the ground of your profeſsion. Since the firſt time of your comming to the Counſell board, you haue not beene ſo much as asked any queſtion about the places of your reſort, the ſupporters of your imploiment, or the meanes of your maintenance, before the Powder Proiect, which hath no kinde of affinity with religion or caution, but with fury and implacability came to bee reſolued on by a packe of *boutefeaux:* though you cannot bee ignorant what the Parliament hath decreed, and ſome perſons of your ſociety haue ſuffered in the late Queenes time, for preſuming to exerciſe a kind of iuriſdiction within this Realme, that neither policie of State can admit, nor alleageance can iuſtifie. I will adde ſomewhat more for the

greater improuement of the Kings mercie, and the more iuſt aggrauation of your ingratitude: You are not preſſed to any perill of your life, with publiſhing thoſe Bulles, which in the Queenes time neither had (as by confeſsion appeares) nor could haue other end then the foreſtallment of the Kings lawfull claime, when the fruite ſhould fall from the waſted tree, and the fainting ſunne, whoſe beames (about that time begun to wax both dim and wateriſh) muſt of neceſsity ſet in our Hemiſphere.

The Kings free pardon, (which, as the times ſtood then, ſhould haue called for a *melius inquirendum*, before it had found paſſage without obſtruction of any doubt) was applied by you, and other of your ghoſtly complices, to many feſtered and filthy vlcers of this kinde. By this free pardon (ſo farre as you haue not ſince relapſed into worſe attempts) euen your ſelfe *M. Garnet*, ſtand at this preſent *rectus in Curia*: wherein though it become mee not to deſcant about the meaſures and proportions of my Maſters grace, yet I may taxe you, for the bad requitall of ſo high a benefit, and lament the Kings miſfortune, that like an Eagle was in ſo great perill of receiuing wounds (almoſt to the death) by the quils of his owne clemencie. Theſe are not the true grounds, nor proper motiues of your ſtanding forth; But your art in cheriſhing, your malice in encouraging, your impietie in ſtrengthening a kinde of practiſe, neuer heard nor thought vpon before

before in any age, againſt the life of the moſt gracious and iuſt King, that euer raigned on either ſide of *Trent:* of a Queene renowned both for her owne worth, and for her happy fruit; and of a Prince whom without aſſentation I may bee bold to call, the ſweeteſt and the faireſt bloſſome that euer budded, either out of the white, or the red Roſary. Gods Law forbids a man that would liue long and ſee cheerefull dayes, to deſtroy *matrem cum filijs*, euen in thoſe creatures that are not Images of the Deitie: But you *M. Garnet*, out of your anoynted influence of ſuperabundant grace, endeuoured your beſt and vttermoſt to brooſe the very neaſt-egge of this royall and hie flying ayerie, if it had bene poſsible: Peeres, Biſhops, Knights, Burgeſſes, Iudges, Serieants, and all ſorts of Officers were drawen in by a writ of *Corpus cum cauſa* to this *feu de ioy*, that it might blaſe more gallantly. It is not the wearing of a Crucifix, which you compare to the ſigne of *Tau*, that could haue ſecured any of your owne affection, if there had bene any ſuch, though it had bene hallowed at *Rome*. No relique (inſtead of the red liſt that was a token of protection to *Rahab* and her family) could haue diſtinguiſhed a Catholicke from a Proteſtant, when *Guy Fawks* had the match in his hand. No kinde of holy graines could haue added the weight of one graine, to the reputation of any *Romaniſt*, after once the hand of *Greenwell* had written the ſence of the Hebrew word *Thecell* vpon the wall, (that

is) *Appensi in statera, inuenta sunt minus habentes*, being weighed in the skoles of your Schooles, should haue bin found ouer light in the ballance. Your ende, as I imagine, was according to the threats of the Stoicks to purge this world by fire, or in some way with *Democritus*, to create a new world *ex atomis*: or becauſe *Catesby* did ſet *Thomas Pearcies* offer light, which was *tollere vnum*, your deſire was by this one act *Tollere*, not the man but humanitie, not *vnum* but vnitie. The plot whereof *Liuie* ſpeakes, of diſpatching the whole Senate of *Rome* in an houre: the deuice at *Carthage*, to cut off one whole faction, by one enterpriſe: the conſpiracie of *Brutus* and *Caſſius* to kill Cæſar in the Senate: the proiect of deſtroying in one *conclaue*, the greateſt part of the Cardinalls: the *Sicilian* Euenſong, and the *Pariſian* Mattins: Nay, the wiſh of *Nero*, that *Rome* had but one head, which he might cut off at one blow, came farre ſhort to the miſchiefe of this inuention, which ſpared neither age, ſex, nor degree. And therefore I confeſſe, if *Catesby* your diſciple were aliue, thus farre he might vaunt, and without exception, that he had ſurmounted and tranſcended *Catilyn* in the ſpheare of his owne treacherie. But thus we learne by *Tertullian*, that *fauos etiam veſpa faciunt*, waſpes aſwell as Bees make combes, though in ſtead of hony, we finde Gunpowder.

Surely this was not the fire that appeared vnto *Moyſes* in the burning buſh: It was not the fire that ſhould purge the ſonnes of *Leui*, though your

your Leuites conceiued ſo: It was not that fire which was caſt into the world by CHRIST, with a purpoſe that it might burne: It was not that, by which men ſhall be ſaued that build ouer weakely vpon the true foundation of faith. But it reſembles more liuely that falſe fire, which began to glimmer, *Poſt commotionem, quando in commotione non erat Dominus.* It is like to that ſtrange fire which *Nadab* and *Abihu* would haue offred vpon Gods Altar, with a zeale that was prepoſterous: it hath the waſting qualitie of that wilde fire, which iſſuing *ex Rhamno*, out of the bramble, would haue deſtroyed the ſtately Cedars of *Libanus*. Nay, to ſpeake properly, or draw neareſt to the nature of that quicke diſpatching fire, which you and your diſciples, *M. Garnet*, vtterly deſpairing to draw downe from heauen (becauſe you know that ſuch a like demaund receiued a repulſe, while *Chriſt* was conuerſant on earth among your betters) ſought by a tricke to obtaine at the hand of Sathan (the great Maſter of the fire-workes) and as the Poet writeth, *Flectere eum nequeas ſuperos Acheronta mouebas.* But God wrought ſo, that by this fire (ſince, *per illum fides proborum coluacet*) the faith of Subiects that are dutifull, doeth ſhine more brightly, and the State winnes honour. Looke not now therefore that the Ladies of *Iſrael* ſhall meete you with their timbrels in the honour of this attempt: for all actions are not praiſe-worthy, which ſome perſons of your profeſsion ſtudy to ennamell with

pretence

pretence of godlineſſe. In thinking of *Telemachum*, wee ſet little by *Aſtianax*: Eaſily may affections wander, where the rules of conſcience doe ſhift; and we finde, that *vmbra* is not euer *eo maior quo ſerior*: But if bloody paſsions can thus farre preuaile in *arido*, what hope is there of better proofe in *viridi*, which in compariſon is but *linum fumigans*? You ſeeke to rayſe your glory out of your ſinne, but *quæ eſt gratia?* what thanke is it to you, according to the demaund of an Apoſtle, if for your euill deſerts you ſuffer ſtripes? for what the Iewes obiected to our Sauiour (though impudently) we dare ſpeake truely and confidently to all thoſe that were priuy to this packe with you, that *Non de bono opere lapidantur, ſed de blaſphemia*. Saint *Auguſtine* ſpeaketh of ſome hote headed fellowes in his time, that notwithſtanding their life led in this world *more latronum*, yet in their ends affected *cultum & honorem Martyrum*: among whome I ſhall euer ranke (with iuſt cauſe) theſe powder men. But if, as Saint *Peter* ſaith, *Bene facientes patienter ſuſtinetis* (which is farre from the rage of your hote ſpirits) *hæc eſt apud Deum gratia*, which your proiects merit not. Theſe are perhaps the dayes which *Nabal* meant, complaining *hodie increbuiſſe ſeruos qui fugiunt*, nay, which is worſe, *qui perſequuntur Dominos*: and therefore if you will not learne of *Balaam*, to beware of ſpeaking more then that which God putteth into your mouth; yet howſoeuer paſsions may ſpurre you forward, learne of *Balaams* aſſe to ſhrink whē you

you finde the Angel of Gods wrath oppoſed, leſt as *Abigail* ſpake religiouſly and wiſely to King *Dauid*, *Cum mors aduenerit*, when death ſhall approach, who ſtands vpon the threſhold and beginnes to knocke at the dore of your heart, *Sit tibi in ſingultum*, it cauſe you to ſigh inwardly, not *quod effuderis, ſed quod effundere volueris*, not for hauing ſhedde, but becauſe you would haue ſhedde blood that is moſt innocent.

How well the proiect of ſupplanting Princes, and ſubuerting States, agrees either with the title of a Ieſuite, or the dutie of a Prieſt, who ſhould rather temper paſsiō then diſclaime charity; the Phariſes themſelues expreſſe in teaching *non licere*, that it was not lawfull for them to kill any man, much leſſe would they, as it is more then probable in the warpe of youth, when their haire began to waxe as white as ſnow, haue taken eyes into their heads like burning glaſſes to giue fire to this traine: And yet truth it ſelfe hath ſaid (which both ſides muſt beleeue) that vnleſſe our righteouſneſſe exceede theirs, we muſt not expect to be heires of eternity. It will be long before ſome of you can proteſt with *Paul*, that you are *mundi*, cleane & pure from all mens blood, or with *Gregorie* to *Mauritius* the Emperour, that hee would neuer *miſcere ſe in cuiuſquam mortē*, or call to mind either the piety of that godly Biſhop in a better time, that would not ſuffer thoſe hands to be impoſed on his head by ordination, that were *reſperſa ſanguine*, or the miſhap of *Dauid* that might not

reare the Temple, for the staining and embruing of his hands with blood. Resort to the very text it selfe, (or if it please you, to your owne Canons) to enquire whether *Paules* restraint of entermedling with secular affaires, were inioyned with a *non obstante*, so farre onely as concerned proiects and plots for Gunpowder. Your safest course, *M. Garnet*, as I suppose, is to stay your iudgement with that staffe of old *Iacob*, whereof mention is made in *Genesis*, in these breake-necke passages, that is, with that aduised sentence which he pronounced against *Leui* the father of succeeding Priestes, for killing the sonnes of *Hemor* after Circumcision, the same being in that case as well a bonde of promise, as a seale of faith; since I do verely beleeue that the Protestants accord with the Catholiques in more poynts of fayth and grounds of doctrine at this day, then those of Sichem did with *Iacob* and his family. By resoluing this passage into parts, wee shall find a great resemblance both in the point of fact, and in the resolution of right with this present case, vpon which we haue reason to fixe both our eyes and obseruations. For first *Iacob* out of conscience and humanitie resolues, *Non ituram animam suam in consilio Leui*, that his soule should neuer march in the counsell of *Leui*, *nec in coetu illorum futurum gloriam*, nor his honour shine in their society. What is the reason? Because in their rage they haue slaine a man (much lesse then the destruction of a Prince with his posteritie and whole estate)

Et in malitia ſuffoderunt murum, and in their malice digged downe a wall: which in my opinion eythet miſſeth hardly one haire, or very narrowly your proiects inuention, in digging at the wall of the Parliament. What is *Iacobs* ſentence vpon the fact? *Maledictus illorum furor quia pertinax, & indignatio quia dura*: which curſe in a more liuely maner (if poſsible it be) then the very fact it ſelfe ſuites the compariſon. For who knowes not, that when malice taketh hold of humour only, as fire doeth of ſtraw, though it cauſe a great blaze at the firſt kindeling, yet it is quickly ſpent, and onely the ſmoake remaines? but when it taketh hold of conſcience, as fire doeth of ſteele, *Quod tardè acquiſiuit diu retinet*, then ſuch marks are monuments. Touching the title which *Iacob* beſtowes for their labours, calling them *Vaſa iniquitatis bellantia*, I may proteſt that both you and *Greenwell*, and all they that were priuie to this accurſed plot, deſerues this ſtile vpon better ground then *Simeon* and *Leui*: by ſo much as your indignation compared with theirs by due circumſtances, was by infinit degrees *durior*, more hard then theirs. For though the feate (Gods name be praiſed) were not fully wrought; yet you know, *M. Garnet*, who it is that compriſeth our conſent both within the compaſſe and the cenſure of a deadly ſinne, and what Father ſayes that, *Quod deeſt operi ineſt voluntati*. The Common Law would puniſh treaſon in the very heart, if the eye of inquiſition could extend ſo farre; and there-

fore the prouidence of God in preuenting by his mercie this deſtruction, is no diſcharge to your intention in continuing it. By the courſe and recourſe of times and accidents wiſe men obſerue, that very ſeldome hath any miſchieuous attempt bene vndertaken for diſturbance of a State, without the counſell and aſsiſtance of a Prieſt, in the firſt, in the middle, or laſt acte of the Tragedie: and that all along with ſuch a *Chorus* of confederates to entertaine the ſtage, while the liues and fortunes of great Princes being ſet vpon the tenterhookes, haue put all in hazard. For while *Moyſes* ſtoode in conference with God vppon the Mount, his brother *Aaron* impatient (as for the moſt part Churchmen are in their deſires) of paſſes or delayes, fell inſtantly to mould and worſhip the golden Calfe, to their Commaunden vexation, and Gods diſhonour. *Abiathar* was condemned for complotting with the *Sunamite*, and *Ioab* Lieutenant Generall againſt his Soueraigne. With what diſtemper and diſorder ſome Prieſtes haue rocked the cradle of the Churches infancie in rayſing hereſies (the ſeeds of factions) onely to that ende, no man can be ignorant, that hath run ouer the Churches Hiſtories.

Wil. Conq. *Odo* Biſhop of *Bayon* was impriſoned by his brother the firſt *William*, as a ſtirrer of Sedition,

Wil. Rufus. and after conſpired with *Robert* Earle of *Mortaigne*, to depoſe his ſonne, againſt whom alſo *Geffrey* Biſhop of Conſtance fortified in actual rebellion the Caſtle of Briſtoll. The captiuity of

the

the Lyon hearted *Richard*, Champion of the holy warres, was by the practise of *Sauaricus* Bishop of Bathe. Rich 1.

Gernas the great Preacher entred with *Lewis* the French Kings sonne, purposing to root vp the race of our Kings, and to plant himselfe and his progenie.

Of the rebellious armie that vsurped against *Henry* 3. the title of *Exercitum Dei* (although by the Popes Legate, *reputati sunt filij Belial*) *Clerici fautores erant*, sayth the Monke of Chester. Henr. 3.

Before that *Isabel* the wife of *Edward* the second durst vndertake the plot of deposing her husband by a damnable deuice, for the raysing of her sonne, she sent in a packe of Preachers poysoned with preiudice against the present State, to prepare the peoples mindes by false suggestions, to the change which was intended to follow. *Adam de Orleti* a Bishop of *Hereford*, was the first deuiser, and continued the chiefest feeder of the dissention betweene the husband and the wife, taking occasion in a Sermon preached at *Oxford*, in the presence of the Queene, and all the rebels, vpon that text of the Scripture, *Caput meum doleo*, to expresse by deprauation of his lawfull Soueraigne, how many mischiefes grew to the Common wealth by a corrupted head that gouerned them. The chaplaine of Wat *Tyler* that aduised his Chiefetaine, (as you Master *Garnet* did your followers) to destroy all the Clergie and Nobilitie, was *Ball* a Masse priest. With Glousters Rich. 2.

Duke against his Soueraigne *Richard*, was *Oswald* Bishop of *Gallaway* the chiefe complotter. Priests and Friers they were that suborned a false *Richard*
Henr.4. against the fourth *Henry*, whereof eight being *Minors*, were hanged at *Tiborne*: And *Maudelen* himselfe that tooke vpon him the habit and person of the King, was a Priest also to keepe them companie.

Stroope the Archbishop of *Yorke*, for complotting a conspiracy with the Earle of Northumberland against the same King, lost his head for his labour. *Beuerley* an anoynted Priest, not to be behinde some other of his fellowes in these seditious attempts, conspired against the fift *Henry*,
Henr.5. with the Lord *Cobham* sir *John Oldcastle*.

I haue seene the Copie of a learned and wise Letter, written by Bishop *Chicheley*, a Prelate of your owne, Chancellour to that King, grauely aduising him to beware of admitting a Legate resident in the Realme, in respect of the sharpe effects by stirres that haue bene raysed in former times by persons of that habit, poynting as it were to *Henry Beauford*, who afterward was both
Henr.6. Authour and Actor of more mischiefe then almost could be expected or feared.

They were Priestes and Friers that in the first
Edward. 4. of *Edward* the fourth conspired with *Iasper* Earle of Pembroke, and were afterward attainted and executed by Act of Parliament.

Doctor *Shaw* was a Priest, whom *Richard* the
Richard. 3. third made the Trumpet at *Paules* Crosse of his

wrong-

wrongfull claime, againſt the rightfull poſſeſſion of his innocent nephewes.

That Impoſtor that ſuborned *Lambart*, to take vpon him the Perſon, and vſurpe the right of the Duke of Yorke, againſt the bleſſed Vnion of the two Roſes, was a Prieſt in *Ireland*. Wherein I note, that as a Prieſt would then haue foreſtalled, ſo now two Prieſts, *Greenwell* and *Garnet* would haue cut off the Vnion. Hee was a Monke of *Henton* that intiſed the Duke of *Buckingham* by ſeducing hopes, to the ruine of as great a Houſe as any ſubiect in *Europe* (bearing not the ſurname of a King can demonſtrate:) whereof both I receiue a wound, and all that deſcend of him. Henr. 7. Henr. 8.

I ſpeake not of thoſe Popes, that exerciſing more the ſword of *Paul* with paſsion, then the keyes of *Peter* vvith inſtruction, haue bene kindlers of great broyles: Nor of the three powerfull Cardinalles, *Yorke*, *Lorraine*, and *Arras* in our age; that during their times were not much anſwerable for ſloth or idleneſſe, whatſoeuer they are otherwiſe for time ill imployed, being perſons of great ſpirit and to great actiuitie: Nor of thoſe Churchmen, that by their doctrine in the Pulpit and ſubſcription of hands to trayterous decrees, embaſed the two daughters of King *Henry* the eight, both before and after the death of King *Edward* the ſixt, for ſatisfaction to the pride and ambition of an aſpiring humour. Mar. Reg.

I paſſe ouer the brainſicke oppoſition of *Knox* and *Goodman*, againſt the two renowmed *Ma-* Mar. Reg. Scot.

riet,

ries, both Queenes of Scotland, Regent and Inheretrice in our dayes: Nor of the fierie triplicitie of *Ballard*, *Clarke*, and *Watson*, of which number the first practised the slaughter of the Queene deceased; the other two of the King our Soueraigne. I rip not vp the complots of *Sergius* the Monke, to bring the Turke into the Empire of the East: Nor of those false prophets, that established the race of *Xarif* in Barbarie. My only drift and purpose is, to compare former practises with the late attempt (though farre exceeding and surmounting all that went before) to make true subiects see for the better triall and examination of spirits, that as well some Priests in Christendome, as those *Salij* that were Chaplaines to *Mars* at Rome in the reigne of idolatry, tooke delight by fits in tossing firebrands from campe to campe, for the inflamation of euill affections and worse practises. But the circle of a Crowne Imperiall cannot be souldered; if it once receiue the smallest cracke. Sinewes that are cut in sunder, can neuer knit: neither is it possible that there should be *integralis vnitas in solutione continui*. I will therefore conclude this point with the graue and learned iudgement of *Sozomen*, an ancient writer of the Church Primitiue, *Vniuersim accidere in Sacerdotum dissidijs vt Respublica motibus et turbis agitetur*: that it happens generally in the dissentions of Priests, that the Commonwealth it selfe is shaken with the conuulsions of conspiracie.

It is very probable, M. *Garnet*, that the last

Queene,

Queene, in caſe the thread of her worne life could haue bene ſpunne further on toward theſe miſtie dayes, (that haue ſomewhat ouercaſt the brightneſſe of your entiſing hopes vpon the ſetling of this State in the ſucceſsiō of ſo rare a King) ſhould haue run ſome ſtrange hazard both of her State and Perſon, among your Mynes and Powder traines (hauing in deede imbrued her Sword in the blood of ſome choiſe perſons of your ſocietie by the warrant of her Lawes; Since this ſweete Prince our Soueraigne, that before his comming euer wrote his Lawes in milke, and euer ſince hath bene very carefull not to write in blood, can thus hardly either by his owne gracious deſerts, or his Councels inceſſant care bee ſecured from the ſhambles. I haue not read, neither doe I beleeue, that the murther of any Anoynted King hath bin accounted in any Religious or iuſt age, either an acte of Proweſſe, or a ſteppe to Martyrdome. I could not haue thought, without this demonſtration of proofe, that any man had bin left in the world ſince the death of *George Buchanan*, to prochaime prices for the ſlaughter aſwell of Kings as of tygers. But if it were not impoſſible (which now I finde with griefe of heart) for any one ſparke of Loyaltie to liue in an Ocean of immoderate and exorbitant affections; ſurely I ſhould haue expected from you and your friends M. *Garnet*, effectes of better inclinations toward ſo milde & gracious a Prince, as neuer ſeatcheth vlcers but with a ſhaking hand, and in ſeatching

all, hath a more earneſt deſire, *non inuenire quod quærit, quàm inuenire quod puniat.* For, to ſpeake trueth without flattery, (which I abhorre as the canker of all generous and worthy mindes) haue not both you and yours receiued and enioyed many fauours from the King, which in all likelihood were not in the laſt time to bee looked for? Would the late *Queene*, thinke you, haue beſtowed honour by laying the ſword of Knighthood vpon the heads of ſo many *Catholikes*, as the King hath done ſince his entrance? Would the *Queene* haue allowed vnto all, or any of the *Recuſants* that free kinde of acceſſe both to her Perſon, or to her Court, vvhich the King hath done (not only vpon iuſt occaſions, but for their comfort) and in effect, at their pleaſure, vvithout making any ſeparation betvveene thoſe (that before his comming ſaluted the faire promiſe of his hopefull day) and others that vvould haue preuented it? Was not the gate of Iuſtice opened *Troiano Tirioque* to Proteſtants and *Catholikes* alike, vvith that indifferent and equall regard, that it hath bin ſince to the ſhutting vp of thoſe mouthes that vvere moſt mutinous? Was the late *Queene* ſo confident in the fidelitie of any *Catholicke*, as to employ them vvithout diſtruſt to forraine Princes in Embaſsie? Would the *Queene* haue called the chiefe *Catholickes* to her Counſell board, that vpon the laying open of their iuſt complaynts, they might haue redreſſe with fauour? Might the Recuſants of beſt hauiour and countenance

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in the late *Queenes* time, liue in their owne Countries, disposed of their estates and Tenants, and enioy their pleasures, without any other mulct then the former Lawes had layd on them? Was it free for Recusants in those dayes, that had bin cast behinde in arrerages (for want of answering their payments in due time to the Crowne) to compound with a Commission directed onely to that ende, almost for what tearme and at what rates he might best satisfie? Did the compassion of the late *Queene* extende so farre in fauour of Recusants, as to put them in possession of their whole states, drawen out of the Farmers handes vpon due proofe made of spoile, without further demaund of any other contribution or taxation then the Law limitted? Was it any part of the late *Queenes* care, to giue order for the chastisement of Informers and Messengers, that prayed vpon the prostrate fortunes of Recusants with harder measure then the iustice of the State warranted? Was it free for Subiects of all affections and Religions (during the late *Queenes* life) that delighted in the warres, to serue what Prince or State it pleased them, without either exception or punishment? Did the late time leaue it to the choice of yong gentlemen that had licence to trauaile, during the time of their abode in forraine partes, to frequent what places, Courts or companies they would, without yeelding an account at their returne of their aduenturing? Had it bin possible to haue drawen from the late *Queene* ei-

ther reſtitutions or penſions for the maintenance of Recuſants, in reſpect of ſeruice done to anteceſſors or anceſtors? Was the late *Queene* as cautious & tender in forbearing to take the liues of Prieſts and *Ieſuites* vpon the point of *Summum Ius*, before ſhe were made acquainted by the Iudges throughly with the ſtate of their euidence? Was any Magiſtrate euer called to his anſwere for proceeding in cold blood againſt a Prieſt, that for want of meanes to procure a Pardon, had bin kept in priſon ſince the time of the *Queene* deceaſed? Was the late *Queene* euer pleaſed, that in the Pardon generall at the cloſing vp of the Parliament, Prieſts and *Ieſuites* ſhould bee compriſed in the liſt, and among others you and *Greene well*, that at the firſt opening of the ſpring reſorted thither with as violent a thirſt as euer you did to *Iubile*; and yet in recompenſe thereof ſince that time, haue bin well content that the diſtributor of ſo great a portion of grace and bountie, ſhould be blowen vp by your *Boute feaux*? A man would thinke in likelihood, that both you, and all they that were incouraged and warranted in this Attempt by you, hauing receiued at the hands of ſo gracious a King ſo many talents in a Royall kind of truſt, ſhould rather haue ſtudied by your beſt endeuors to encreaſe the ſtocke, then to leſſe the principall, by burying your talent vnder ground among the powder works, eſpecially conſidering that our King is not like the other mentioned in S. *Luke*, *homo auſterus qui tollit quod non poſuit, et me-*

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tit quod non ſeminat; but rather deſirous with *Moyſes* to be raced out of the booke of life; with *Paul* to be made *Anathema* for common good of thoſe Subiects that liue vnder him. Our Royall Maſter trauailes not as the other did, *in longinquam regionem vt accipiat regnum*, into a forraine region to obteine a kingdome, but brought a Kingdome with him out of the next region to ours, that hereafter we may liue *vnanimes*, that haue beene ſo long ſeuered and diuided in fraternitie. But ſuch are the qualities of many men, and eſpecially of you and your complices in this complott, that as one ſayes, *Non tam agant gratias de Tribunatu, quàm queruntur quod non ſunt electi in Conſulatum.* But when you, or any man of your affection and humour ſhalbe able out of quinteſſence of wit, or poſitions of State, or grounds of common ſence to prooue, that a Prince as oppoſite to your religion as you are to his, and that vowes to ſet vp his whole reſt and aduenture not onely of all his Crownes, but of his Life and Succeſsion, vpon thoſe principles of Faith (which hee hath ſucked from his infancie with his nurces milke) to take a milder courſe with the *Catholikes* then hee hath hitherto done, without offence or ſcandale to the tender conſcience of his owne Church, which he doth chiefly regard; I will acknowledge that you had more reaſon to bemoane your ſelues (which is the furtheſt period of a Subiects power) then (as your caſe is now) I can admit, looking into ſundry circumſtances of perill with a

single eye, which is neither daselled with selfe loue, nor distracted by slight apparances. For though you may perhaps conceiue, that there wanted somwhat to the ful measure of your vaste desires; yet all men know that you preuailed farre aboue the likelihoode of any reasonable hope: which may moue you to call to minde with more euenly poized thoughts, that iudgement of a wise author, that *inter voluptates tam numeratur id quod habes, quàm id quod speras:* a good rule for a peruerse interpreter.

The quicke sand vpon which you plant the great Artillery of your sentences and decrees against the States and persons of all Princes that square not with your rules, I take to be that idle impression, rather then true supposition of a certaine kinde of prerogatiue thought to bee left by our Sauiour to his Spouse the Church *in deposito*, for the deposing of Princes, vpon conuiction of contumacie, from their Seat of gouernment. For as the great Philosophers conclude the whole world to be composed of three certaine concurrent principles, that is, Matter, Forme, and Priuation, holding the last of the three to be rather a principle of transmutation, then of establishment: So likewise the Schoolmen within these last sixe hundred yeeres, haue dragged into the discipline a newe kinde of priuation also beside the matter (which is the flocke) and the forme which is the gouernment. And this priuation hath vndoubtedly metamorphosed as many States and Poli-

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cies as the other hath done ſhapes and figures, if either the complaints of Maieſty, or the ſmart of patience may be accounted of in our audit. I confeſſe with the woman of *Samaria*, that this Well is not onely deepe, but that I want the bucket, which from ſuch a Well may be fit to draw: for euery plummet is not for euery ſound, nor euery line for euery leuell; neither is it poſsible out of euery blocke to carue *Mercury*: but yet ſince it is confeſſed by *Robert Winter, Rookwood, Guy Faulx*, and others, that their error in beleeuing this concluſion vpō the warrant of a learned man (which as appeareth now, was your ſelfe) hath beene the greateſt cauſe, and the ſtrongeſt motiue of their fatall fault; ſince in like ſort, it agreeth fitly with my deſire to reduce as many of thoſe ſilly erring ſheepe that followed *Abſolom, ſed corde ſimplice, & penitus cauſam ignorantes*, as I can from your *aheldama*, or *ager ſanguinis*, (conſidering how many Prieſts haue practiſed in theſe late yeeres to ſound poynts of war) that ſomewhat is ſet down for confutation, and as much for caution: I haue beene the more willing to engage my zeale and duty, though perhaps aboue the meaſure of my ſtrength, vpon this argument, *et quantum in me eſt*, to ſhake the whole foundation of future conſpiracies.

But before that I prepare my ſelfe to this encoūter, or that I enter into this narrow liſt (wherein I expect as many aduerſaries as there bee men that haue humours to limit or to conquer Kings)

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I hold my ſelfe bound in ducty as well as drawen by method, to wipe away that weake excuſe which you make of your diſloyall heart, in publiſhing this doctrine of curbing, ſuſpending, or deposing Princes of high eſtate, vpon this ground onely, that in forreine parts you found it neither ſeuerely taxed, nor capitally puniſhed. To let go that *Maxime* which binds all ſorts of ſubiects to frame their actions rather to the law of the Countrey wherein they liue, then wherein they wander; and likewiſe the great improbability of ſo groſſe ignorance in your ſelfe, and your friendes, as not to take notice of a poynt of State ſo deeply riuited in all the Courts of Iuſtice within the Realme; I muſt tell you further alſo, that Princes feare not thoſe fires which are kindled in forrayne States, before that ſome ſparke light either vpon their neighbours houſes, or their owne palaces. Idle lookers on, and franke aduenturers haue not an equall ſenſe of the danger, which the ſhippes and veſſels richly freighted endure at the ſea, either by falſe pyrats, or foule weather. *Qui ſani ſunt*, according to your conſtruction of *Sanitas*, *M. Garnet*, *non medicis egent*, *nec metuunt medicinam*. Their eares are very dull, and vnapt to muſike, that cannot keepe time when fortune plaies, and all ſorts of Inſtruments are ſet in one key to make full harmonie. So long doeth the great brood Hen clocke her chickens, as ſhe takes them to be hers: but if once they flie from the protection and ſafe defence of her wings, ſhe leaues

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them as a pray to the Puttocke. I will ſearch no further then our owne time for ſatisfactiō in this poynt, how farre Princes would bee patient in caſe they were as violently purſued and plyed as the King our Soueraigne hath bene, then by obſeruing what kinde of obedience hath bene performed by ſome of that ranke when they were ſhot with the ſame arrowe. For many men are very ſlack in making hue and cry after the theefe that ſteales their neighbours goods, which are very forward to fly with the wings of an Eagle, when they find themſelues preſſed in their owne particular. *Et hic ſi fuerint ſentient aliter*, and in like caſes wiſe men out of experience reſort to like remedies.

But if there be no drugs in your ſhop to purge that ſharpe humor, that hath bene the cauſe of ſo many burning feauers, & diſtempers in this State, then your *Diacatholicon* (I may tell you plainely) that it ſtriues ſo much againſt the ſtomacke of the King, and worketh vpon nature with that violence and lothſomneſſe, as he doeth rather chuſe to feele the paine, then take the pill, and to endure the worſt of the diſeaſe, then to make the beſt vſe of that remedy. In this caſe he wil truſt his owne receipts that are made familiar by time and vſe, leauing other Princes to their owne free choiſe, which may make al drugs to taſte in their mouths like *Manna*, that is agreeable to their owne appetite. Princes cannot be too ſuſpitious, when their liues are ſought, and Subiects cannot be too

curious when the State brandles. I remember that when *Iosuah* tooke notice of a single man that came from *Iericho*, standing with a sword in his hand ready drawen, he asked instantly, *Noſter es, an aduerſariorum?* Art thou of our side, or of our aduersaries? directing vs that are now in Commission, as it were by line and leauell, in what maner and with what caution we should examine you and *Hall*, (since *Greenwell* is out of our reach,) for you draw not one sword (as the other did,) but two at once, (that is, both the Spirituall and the Temporall against our Soueraigne,) and to enquire with all at what time, and in what place, and vpon what aduantage you and your suborned confederats intend to wound his royall Maiestie.

For since wee finde, that to secure litigious possessions, that lie subiect to surprise, it is vsuall and ordinary, euen among persons meerely priuate (so long as they liue in feare) to sound the dispositions and affections of their owne dependents, followers and tenants, vpon suspition of a false tricke: at a dead lift, it much more behoueth great Princes, (vpon whom whole States, and successions depend) to take the surest hold that is possible, of their Subiects affections and hearts, least if they should chance in the day of triall, not to bee *noſtri ſed aduerſariorum*, and thereby draw their swords of another side, and deceiue the trust that is reposed in their faith, we might with *Rachel Plorare filios noſtros qui non ſunt*, and call for helpe

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too late, when deſtruction were in the doore of deſolation.

This doctrine, *M. Garnet*, is not drawen out of the fuſty veſſels, as ſome call them, nor from the lees of the latter times which you ſuſpect: It caries not the leaſt taſte of preiudice or feſtered ſuſpition vpon particulars. It knew no difference either of name or imputation, betweene *Catholike* and *Proteſtant*, when it was firſt ſet on broach by thoſe Princes, States, and Diuines, which are accounted *Catholikes*, and ſome of them canonized for Saints in the Rubrickes of your owne Regiſter. For proofe whereof you ſhall find a Patent in the Records graunted to one *Waleton*, for the ſearching of all ſhippes & veſſels inward or outward bound in the Port of *London*, and for the ſifting of all perſons likewiſe, *qui bullas, vel alia Papalia inſtrumenta deferebant.* *Ann. Ric. 2* In the ſame Princes raigne, *Sir William Brian* was ſent to the Tower, only for procuring the *Popes* Bull againſt certaine Burglerers that robbed his owne houſe, *quamuis abundans cautela non nocet* by the ciuill Law, and the Bulles themſelues were adiudged preiudiciall to the Kings prerogatiue. With theſe I match *Stephanus de Malolacu*, ſharpely fyned in the raigne of *Edward 1.* for putting a Bull in execution againſt a certaine Knight his aduerſary, without acquainting firſt the King or his Counſellours. *Rot. 1. Edw. 1. Roger Sherbrooke* was called in queſtion for procuring Bulles from Rome, in *contemptum Regis et Coronæ exhæredandæ periculum*, which was the beſt

conſtruction that was then made of theſe trauerſes. *Edward* the ſecond ſent a Commiſsion, as appeareth by Records, to inquire of any Proceſſe or Sentence brought ouer from Rome into this land *ſe inconſulto*, without his priuitie. It appeareth againe in the time of *Edward* the third, all the Ports were layd for interception of Bulles by the Kings order. To the Archbiſhop of *Rauenna* was graunted a ſafe Conduct at his comming into England, by King *Edward* the third, with this prouiſo, that hee ſhould onely report *Sanctæ Papæ exhortationes*, but neither ſend out Proceſſe, nor giue ſentence, *in Coronæ & Regni præiudicium*. It was not lawfull in thoſe dayes to bring in any letters either frō the *Pope*, or any forraine Prince, without imparting them firſt to the Chancellour, or the Warden of the *Quing, Portuum*, which in time of the beſt correſpondence, as it ſeemes to me, implies weake confidence. *Edward* the third gaue inſtructions to certain noble men that were to treat of a peace with *France*, in the preſence of the *Pope*, to proceed with great caution, that is, not *tanquam coram Iudice, ſed coram priuata perſona*, and not as in *figura iudicij, ſed amicabiliter*. When the *Scots* would haue had all differences betweene both Kingdomes, referred to the conſcience and diſcretion of the *Pope*, the Peeres of *England* vterly refuſed to giue their aſſent, though the kings owne facilitie ſhould incline ſo far, becauſe their King as they vouched, was not to make his anſwere in matters of that quality before any Iudge what-

whatſoeuer, *vel Eccleſiaſtico, vel Seculari*, either Eccleſiaſticall, or Secular. To bee ſhort, theſe ſparks of ielouſie were ſo far kindled between the church of *Rome*, & our anceſtors in former times, although they were no *Lutherans* nor *Hugenotes*, (as our countreymen are tearmed in theſe dayes) but as *Catholickes* according to the *Romane* Catechiſme: that an order was ſet downe by the wiſdome of the State, that the *Popes* Collector at his firſt arriuall on our coaſt, ſhould ſweare ſolemnly to be faithfull to this Crowne, to attempt nothing to the Kings preiudice, or in diſgrace of the lawes eſtabliſhed, to put none of the *Popes* orders in execution, to the weakening of the Kings prerogatiue: to deliuer no mandates or letters from the *Pope*, before they had bene viewed and allowed by the Councell of the King: to write nothing to the *Pope* from hence, without the Kings leaue: to deale no further in the buſineſſe of Benefices then the Priuy Councell ſhould allow: nor without the Kings priuie Seale to depart out of the kingdome.

Theſe poynts are tender, and ſuch as during peace, were neuer offred by the Kings of *England* to the miniſters of any other forrein Prince, & yet we read of no ſuch inuectiues or decrees againſt Prince and State, as in our dayes are ordinarie. Other Princes in like manner ſtood vpon their guard, and with like circumſpection, as is euident by *Philip le beau* the French King, who being aduertiſed of the *Popes* peremptory proceeding vp-

on the committing of a Bishop for euill words against himselfe, inquired of all his Peeres both Ecclesiasticall and Temporall, at a publike conuention how farre hee might rest assured of their fidelitie & loyaltie notwithstanding that decree, who answered, *Vnanimo consensu se illius tantummodo esse beneficiarios*, and that what *Pope* or potentate soeuer durst aduenture to put out his hornes, or to raise his creast by opposition to his Royall prerogatiue, they would liue and die with him.

If Princes that were absolutely *Catholikes*, according to the *Romane* list, that were directed by one Canon, tuned by one wrest, obedient to the voyce of one high Shepheard, and betweene whom and the *Pope* there was but *cor vnum et anima vna*, found so iust cause and so great reason, (notwithstanding vnion in points of conscience, and orders of conformitie) to be tender and suspicious of their Temporall prerogatiue, and to cast a watchfull eye vpon the *Popes* encroaching steppes, in quarters that perteined neither to the Churchyard, nor the Church: how much more iealous ought true Subiects and sworne seruants in our dayes to be of that Princes state, who being as the case standeth now, susteined and fed by another roote, directed by the voice of other Pastors, and as carefull to reforme, as his Antecessors to conforme, while they sayled by another Compasse, and vpon another coast? And whosoeuer will not bee instructed by the Recordes, let him search in the Vaultes, and the Powder-traines of

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the Parliament. If in the time of *Henry* the ſecond, who touching point of conſcience was *obedientiſsimus Eccleſiæ filius*, *Viuian* the *Popes* Legate was preciſely ſifted and examined by the Biſhops of *Ely* and *Wincheſter*, (that were of his owne profeſsion, and ware the ſame badge) by what warrant he durſt preſume to land without ſpeciall Licence from the King: and therefore gaue othe *in Verbo veritatis*, to doe nothing againſt the Kings authoritie; How much more watchfull and reſerued ought this State to bee, in admitting *Greenewell*, *Hall*, and *Garnet* with their Buls or Cenſures, *in Regis & Coronæ præiudicium* without inquiſition or ſearch, ſince their ende is not as before, *implere manum*, to fill the hand, but to repleniſh the Churchyard, and to ſtirre vp all conceited or diſcontented men, to the taking of Armes againſt their lawfull and redoubted Soueraigne King *Iames?* And though the *Pope* ſhewing himſelfe (in this point) more moderate and diſcreete then other of his predeceſſors, hath not as yet cut off the King formally as a withered or vnfruitfull branch; yet to their precipitate and brainſick giddineſſe it was thought ſufficient, as *Guy Faux* and others did confeſſe, that the *Pope* on Maundie thurſday cenſures *Schiſmatikes* in general, (though the moſt indicious (among the Schoolemen) Diuines and Canoniſts of their part, hold directly *ad oppoſitum*, and dare not warrant any conſcience according to the rules of their owne diſcipline) by that cenſure which wee may probably conceiue

ceiue to be more narratiue then actiue, in respect the processe followes not. This record cõcerning *Henry* the 2. drawes to my memory a message of the same effect sent to a Scottish Legate by *Alexander* the King of *Scotland* after that time: For it is true, that Legate purposing to sesse euery parish at foure Markes of siluer, and euery Monasterie in that Kingdome, at twenty times so much, for the supply of maintenance to the warres in the holy Lande, was commanded by King *Alexander*, *intra Regni fines consistere*, to stay vpon the border of the Realme, *& per literas mandata exponere*, and by letter to deliuer his instructions: for neither *Scotland* could forbeare or spare so great a summe as the Legate would exacte, neither (albeit the Realme could) yet his meaning was not to sende it by so vnlucky a messenger as the Legate was; complayning that he had bin robbed of the money gathered in foraine States before, to the losse both of his owne labour, and the charities of other Catholikes. In conclusion, a faire offer was made of men for encrease of strength, which was not the Legates ayme, but of no treasure to fill coffers, which was the chiefest ende: and a thousand Markes were sent to the *Pope* as a meere beneuolence, which sealed vp the drift and purpose of this Ambassie. This answere was exceedingly commended by the King of England, *qui idem expertus sapiebat*, who hauing tasted of the same cup, grew wise, as I finde by *Hector Boetius* a Romane Catholike. I

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meane not in this place to inſert or adde the iudgment of a Scottiſh Biſhop, that theſe kinde of exactions were tyrannie; aduiſing further all that State in a full conuention, that the Legate might not only be ſent away emptie handed, (and with like ſucceſſe to thoſe which as the *Prophet* ſayes, *Dormierunt ſomnum ſuum, et nihil inuenerunt viri diuitiarum in manibus ſuis*) but farther that an Acte might paſſe in that aſſembly to cut off all ſuch errands by prouiſionall accorde, as might *in futuro* tend to the States impoueriſhment: which was vniuerſally agreed and determined.

I did very well approue, and was glad to heare the diſtinction and difference which you made in one part of your ſpeech, betweene the King our ſoueraigne (that was neuer ſwathed in the bands, nor daunced in the lappe of the *Romane* Church) and other Princes *Romane* Catholikes, that were firſt incorporated by vnion, and after caſt off for their contumacie: For this is ſomewhat, though I hold it not to bee ſufficient. And beſide that, euery graine in meaſure is well gotten at your hand, that held the ballance ſo vneuenly and vnſtedily: that paſſage alſo of S. *Paul*, prohibiting the Church, or at the leaſt confeſsing himſelfe prohibited to iudge thoſe *qui foris ſunt*, as you repute the King inclined to that ſide, which your owne admiſsion and expoſition doth beare. But as it is vnpoſsible for any man that is not a perfect *Gileadite*, without liſping to pronounce *Shibboleth*, howſoeuer otherwiſe they drunke water

curuatis genibus· ſo the miſchiefe is, that you flie too ſuddenly from that foundation which your owne hands had faſtened, and vpon the queſtion asked, What you would thinke of any ſentence priuatiue, proceeding from the *Pope* againſt our King, in caſe either this man, or any ſucceſſor of his ſhould heereafter take any courſe differing from that moderation which hath been vſed hitherto, your vocales or *vowels* were changed into mutes, your demonſtrations into doubts, and your eloquence into ſo deepe ſilence, as the paſſing bel might haue bin tolled for a man ſo quickly ſtricken ſpeechleſſe with one demaund, to make your laſt teſtament, *Vt vnuſquiſq; Theophraſti diſcipulum te poſſet agnoſcere.*

It now remaines, that in diſcharge of promiſe, and for ſatisfaction to curioſitie, I make it cleare by the fayreſt euidence, the moſt pure and vncorrupted witneſſes, and with the ſhorteſt cut that my compaſſe in ſo vaſte an Ocean wil admit, that none of the Patriarks before the law, none of the Prieſtes and Prophets vnder the Law, nor Chriſt or his Apoſtles at the laſt expiring of the old law, nor any of the godly Biſhops that gouerned the Church of God for the ſpace of one thouſand yeeres *in auditu nouo* by the new Law, did euer exerciſe, approue or claime that kind of iuriſdiction or any branch of it, that is extended to depriuation of right, ſuſpenſion from rule, or ſequeſtration from royalty. For this I take to be that Ball of Wildefire, which hath cauſed ſo great loſſe

of

of liues & States by combuſtion in Monarchies.

Before the Law, though it pleaſed God vpon the breach of his decree to driue *Adam* out of Paradiſe (the liuely figure of the Church) that in *pœnam culpæ*, hee might worke for that *ſudore vultus*, which before ſprung vp naturally, *beneficio Creatoris*, yet hee left him Monarch of the vniuerſall world: a courſe farre different from the maner of proceeding among many of thoſe *Roman* Paſtours, which clayming the diſpenſation and diſtribution of *S. Peters* keyes, καὶ ἐκκλω haue onely by the ſtrength and vertue of that ſuppoſed warrant, ſought vpon diſpleaſure, and oftentimes *cauſa inaudita*, not onely to expell great Princes out of the ſtate of grace, but very often alſo to ſtrip them out of the robes of Maieſty.

In the ſequeſtration of vngodly *Cain*, *à Dei facie*, from the face or preſence of God (which is in effect the ſame cenſure which the Church vſeth at this day, *tradendo Sathanæ*, becauſe theſe two Lordes are in one Regiment incomputible) we read not that immediately vpon the ſentence this grieuous ſinner was ſet vp for a reprochfull marke, whereat either Iuſtice might ſhoot, or Errour might ayme, as the King our Soueraigne, who hath bene roaued and pricked at of late: For ſo farre was the prouidence of God from arming any creature in this world to the leaſt harm, much leſſe the diſinheriſon of *Cain*. As for ſo much as concerned life, he ſet vpon him his owne marke of ſure defence, with a ſeuen fold curſe againſt a-

ny that ſhould ridde him out of the way; and beſide left him a large ſcope wherein to walke vpon his owne ground almoſt all the world ouer. To theſe two I will onely adde a third, which is *Eſau* the loſt childe, whom (notwithſtanding depriuation of that heauenly bleſsing, by which all Nations ſhould by the merite of the bleſſed Seede, and holy Couenant, *in plenitudine temporis*, prefixed by his prouidence bee reconciled to himſelfe) yet wee finde that hee was inlarged in his temporall poſſeſsion, ſecured in his perſon, and increaſed farre and neere in the wide ſpread of his poſterity. Nay, that which maketh more to the blemiſh and reproofe of our raſh *Emperickes*, that can hit vpon no other way to cure diſeaſes then by letting blood, I inferre, and that vpon a ſure foundation, that *Iacob*, *Eſaus* yonger brother, but yet by mercy the true and lawfull heire to the promiſe, and the chiefe commaunder after *Eſaus* fall, among the Saints of God, did a long time after, not only call him *Dominum*, his Lord, which the holy Ghoſt approueth by the title which is giuen by *Sara* to her husband, to bee a word of power: but falling proſtrate in an humble manner at his feete with wordes expreſsing as great loue as reuerence, did reſpectiuely and truely honour him; for (*nondum venit hora*) nor many thouſand yeeres after, wherein perſons excommunicated muſt *ex conſequente* be depriued of dominion, rather then left to Gods chaſtiſement.

Betweene the rootes of *Iuda* and of *Leui* by the law

law of *Moyſes*, the ſeparations and diſtances are ſo wide, as neither neede to croſſe anothers walke; to intermeddle with anothers office, or to eclipſe anothers dignitie. Beſide, I obſerue that among all the conditions *affirmatiue* and *negatiue*, *poſitiue* and *priuatiue*, *religious* and *politique*, that are enioyned by the firſt inſtitution to Kings, this kind of tenure holden of *Aaron* or his ſucceſſors *ad placitum*, is neither expreſſed in the graunt, nor embroydered on the skirt, nor engrauen in the ſeate of his office, vnleſſe ſome wil argue that the kings of *Iuda* were aſwel bound to ſubmit their Scepter to the Prieſts direction, as to receiue the booke of the Law at their handes: though wee finde that it was entailed by ſtrong wordes to the tribe of *Iuda*, without any reſeruation of ſuperintendencie. Beſide the plague which God doeth threaten with his owne mouth, to ſend Princes in his anger, and hypocrites *propter peccata populi* for the peoples ſinne, were meerely idle. If it were free for vs at all times vpon theſe viſitations and ſharpe corrections, by the *Popes* helpe either to abate our penance, or to ende our puniſhment, It is expreſſed and improued in the Scriptures, as a portion of the Diuine prerogatiue, to chaſtiſe Kings; then belike no part of a Prieſtes iuriſdiction, that is confined to another element. *Per Deum regnant Reges*, by God they reigne: then not at the *Popes* pleaſure. Of God onely they holde their Crownes and dignities; then not bound by Diuine lawes to yeeld vp their Crownes *in manus Papales*, in feare of proceſſe, as

ſome more ſearefully then Royally haue done in other ages, when the *Popes* ſummond them. From his mouth they receiue their charge; therefore to him onely and no other, they are bound to yeeld a iuſt account of their Stewardſhip. It is ſayd by holy *Iob*, that God placeth Kings in their thrones *in perpetuum*; then farre from theſe weake tenures by copy of court Roll, at wil, or in Courteſie. But ſuppoſe they waxe violent, and apt to quarrell vpon the pride of their owne ſtrength, who ſhall cenſure them with any preiudice to their Eſtates? not the Paſtor by Commiſsion, but God by prerogatiue. It is the propertie of God himſelfe *Regna tranſferre, et conſtituere*, if we beleeue the Prophet *Daniel*, and of no Paſtor vpon earth. And he wil take it for as great preſumption in any mortall man that caries *ſpiritum in naribus*, and is but earth and duſt, to call his Vicegerents to account, as any earthly Prince would eſteeme in any ordinary Subiect, to oppoſe or ſtriue againſt his Deputies. God giueth no commandement in his Law, for obſeruation whereof wee neede to aske leaue of any Deputie ſubordinate; for then were man more abſolute in his election, then God in his ordinance. The reuerent regard which *Aaron* had of *Moyſes* in reſpect of the ciuill ſtroke, may tender vnto all the ſonnes of *Adam* (how high or how great ſoeuer) that liue vnder Kings, a ſcale whereby to take the true latitude of a Paſtors libertie, ſo farre as concernes this compariſon. For no man ſhall auerre that God

God did euer giue a ſtate to any Prince (ſo as the ſame were meerely independent vpon the challenge of any ſuperiour commaund) but he made him likewiſe free from checke in the ſcope of his ſoueraignetie. If then the queſtion bee put in this ſort, as it ought, (before it work that effect which you deſire) Whether the Crowne of England remayne free from dependencie vpon ſuperiour commaund or not; if *Simancha*, *Nauarre*, *Siluester*, or any of the Scholaſticall Diuines will either examine our Recordes, or reſort to our Parliament, where matters of like qualitie ought to bee argued and decided, becauſe according to the rules of all Diuines, religion alters not the formes of ciuil gouernments, or ſearch the reports of the Popes owne Rolls; vndoubtedly they would receiue the ſame anſwere which Popes in former times haue had, and with the ſame quick diſpatch that our Anteceſſors in this caſe haue thought to be requiſite.

By obſeruing with carefull heed the reſpectiue maner which was vſed to the Kings of *Iſrael* and *Iuda*, by the Legall Prieſtes vpon their tranſgreſſion in thoſe matters, and degrees which are now drawen within the compaſſe of the cenſures of the Church, it will appeare that within the fiue bookes of *Moyſes* and all the ſtories of the kings, no one decree, reaſon, or example can bee found to make good the formall proceſſe which within ſome few hundreds of yeeres haue bin raſhly put in practiſe againſt Kings and Emperours, vpon

ſuppoſition

ſuppoſition of contumacie. For though I graunt that many of them did erre, and in the ſame degrees, yet not one flower of their Crownes was blaſted; no not one haire of their heads ruffeled, nor one graine of their Royall dignitie diminiſhed. I doubt not, but if for many Prieſtes that were depoſed during the practiſe of the Legall cenſures by anoynted Kings, and thoſe of the beſt kinde alſo, as *Dauid*, *Solomon*, *Ioas*, *Ezechias*, and *Ioſias*, there could be drawen but one example of a King depoſed by a *Leuiticall* anoynted Prieſt, all the Schooles and Pulpits of *Italy* would ring of it; but it falles out happily, *vt quod præcepto non iubetur exemplo careat.*

It were hard to picke out any grieuous ſinne againſt the firſt Table of the Law, whereof *Saul* was not guilty in his declining dayes: for he deſpayred in Gods protection, hee conſulted with Sathans inſtruments, hee ſlew the Prophets: and yet it is cleare, that *ex ſolo indelebile vnctionis charactere*, onely by the Character of regall vnction vncancellable, he was ſo far priuiledged, and ſecured, as well againſt lay practiſes as Leuiticall decrees, that *Dauid* himſelfe entitles him *Chriſtum Domini*, Gods anoynted (which may ſeeme ſtrãge euen after God had appoynted *Dauid* himſelfe to bee anoynted in his place.) And the ſame King and Prophet likewiſe forbeares at two ſundry times to take thoſe aduantages againſt him vpon fit occaſion, which the lawes of God and man allow againſt an vnlawful vſurper to a lawfull Magiſtrate,

giſtrate, without a *non obſtante* from aboue to moderate.

But one inſtance aboue all cloſeth vp the mouth of contradiction it ſelfe, and vnlooſeth the hardeſt knots, that the Gordians of our age can deuiſe to tye vpon ſo ſmoothe and playne a threed: for God himſelfe by his owne iniunction, layes a heauie charge vpon his owne elect, without all ſhifts of Equiuocation, or oppoſition, during the time of their diſtreſſe, while they ſate mourning by the ſtreames of Babylon, and hanged their harpes vpon the willowes, that they ſhould not only *quærere pacem illius Ciuitatis*, ſeeke the peace of that State, which was the ſeate of their exile by Diuine direction: but (which is much more pregnant to this purpoſe) that they ſhould pray for it, *Et in pace illius ciuitatis ſuam ſtabilirent pacem*, and in the peace of that State politike, enfold, ſettle, and eſtabliſh their owne peace and tranquilitie: So hard it is for the policies or paſsions of men, either to worke or to diſpence againſt the directions of God: And ſo far is the purpoſe and prouidence of God, from leauing the raines of order looſe in the necke of precipitate audacity.

Now *M. Garnet*, whether your ſcope and drift hath bene to pray for the peace and proſperitie of the Kings eſtate (which of neceſsitie muſt enioy the priuiledge of *Babylon*, if you will needs accompt it *Babylon*) I will not appeale to your owne ſeated conſcience, but to that Hymne *Gentem an-*

ferto perfidam, fowly wrested and abused by your wreckfull rage.

And touching the second point, whether you haue sought to enwrap the peace of your profession in the peace of the State, or not, I will bee tried by the Powder workes. But to bee short, these reasons and examples drawen out of the Law of *Moyses* makes the matter cleare, how far the Leuites might vndertake to deale in censuring the crimes of Kings, their office consisting altogether in humilitie and pietie. For though I graunt, that assaults were made in those dayes vpon the persons of some Kings, sometime by expresse direction from God (which ceaseth in our dayes) and sometime by the practise and presumption of Traytors, which are no more to be iustified, then the robberies that are committed daily at Stangate hole, or at Shooters hill: yet for our instructiō it ought to suffice, that no such plaine Songs are set out in the Bookes of diuine tablature, and therefore vpon false grounds no State ought to suffer either any kinde of new descant to make new diuision in olde integritie, or such a conceited kind of voluntary, as only serues to please factious humours. Sure I am, that though the rod of *Moyses* were once onely turned into a Serpent to giue terrour, yet the rod of *Aaron* was preserued euer, not *in campo Martio*, but *in Testimonij tabernaculo*, sprouting foorth greene leaues and sweete blossomes.

But now to draw neerer to the life of that discipline,

cipline, which among Chriſtians ought rightly to be reputed Regular, to examine principles, and enter into the Schole of Chriſt orderly; wee muſt refreſh your memory, *M. Garnet*, in putting you in minde, that our Sauiour himſelfe (who ought to bee the higheſt obiect of your imitation) liued obediently to the Lawes of the State, in which hee was borne, though peruerted by Phariſaicall conſtructions and gloſſes *in ſenſum reprobum*, and *ex diametro*, repugnant to that ſcope of reformation which he onely aymed at, without practiſing with diſcontented perſons againſt the Roman tyranny, either to diſplace the gouernours, or to change the gouernment. Hee commaundeth his diſciples to giue vnto *Cæſar*, what is due to *Cæſar*, reſeruing vnto God what of right doth belong to him. Chriſt would not take vpon him to diuide a temporall inheritance, though preſſed earneſtly by the partie that was in ſuite: much leſſe is it poſſible that out of paſſion hee would haue diſturbed Monarches, or transformed Monarchies.

To proue further that his kingdome is not of this world, hee reaſons *à conſequenti*, becauſe his followers did not put themſelues in armes in his defence, as otherwiſe vndoubtedly (in caſe his Empire had beene ſquared by the common rules of ſecular affections and deuotions) they would haue done, though in our dayes that argument was eaſily diſcharged, and that want powerfully ſupplied by others of that ſuite, that account it a

breach of the Churches liberty to dissolue or forbid garrisons. It is true that change of accidents may breed a change of temper, as well in bodies Ecclesiasticall as Naturall; for the Church may be at one time more quiet, safe, and prosperous, as we may be better or worse disposed, more hote or cold, more sicke or whole at one time then another. But as it were a strange kinde of fit that could transforme a man with *Appuleius* into an asse: so were it as strange a variation in the compasse of the Church, to alter patience into power, the spirit into the flesh, and humilitie into crueltie. For Philosophie doth teach, that externall accidents change inward qualities: but without an absolute transmutation *ipsius speciei*, of the very kind it selfe, they change no substances. Therfore I wonder how *Gregory* the seuenth, and after him *Boniface* the eighth durst aduenture to claime the exercise of two swords (like warie Fencers) in one scabberd, out of a text pitifully set vpon the racke for the countenance of a two fold Iurisdiction, the pursute whereof hath and will cost many liues, *priusquam sententia Iudicis* (touching that particular) *in rem iudicatam transeat*. Yet I am sure that Christ the law maker giues them ouer in the plaine field, when they fall to dealing blowes, and in stead of sounding a point of war, cries out to all his owne followers, *Cur non potiùs patimini?* Since it is certaine, that in *patientia possidentur animæ*, Soules are possessed in patience: A *maxime* farre more sound and honest, then that other

other of the Schoolemen *præcipitantur Principes* by cenſuring and skirmiſhing: From the conſiſtorie of our Sauiour comes a direct prohibition, that his Diſciples ſhould not *dominari ſicut Reges gentium*, domineere in that faſhion or maner that the kings of the Gentiles did: but if thoſe Biſhops (that deriue their painted and pretended right of depoſing Kings, from the power of Chriſt) might bee iuſtified according to the nature of the plea which they put in, they ſhould *dominari pluſquam Reges*, more then Kings, both by ſetting themſelues aboue all Kings in their Temporal eſtates, and preſuming by cenſure to depriue them of their Dominions, which (ſetting aſide the due of homage by ſuch Kings as owe ſuite and ſeruice to ſuperiors) none could expect, much leſſe demaund of other: nor did euer ſet their foote ſo hard in the neckes of their Peeres, as *Pope Alexander* did in the neck of *Fredericke*. For, is it likely, that when *Chriſt* not onely commanded *Peter* to put vp his ſworde drawen with greater zeale in paſsion, then iudgement vpon deliberation, but added alſo to that charge a commination in generality, that whoſoeuer drew the ſword, ſhould periſh by the ſword; his purpoſe was to binde the hands of his Apoſtles? but yet to leaue the paſſions of thoſe that ſhould ſucceed them, at full libertie. *Chriſt* paid tribute vnto *Cæſar* as appeares, aſwell for *Peter*, as for himſelfe: thereby moulding the meaſures and proportions of the *Churches* conformitie. For ſtrange it were, that *hæres*

ſuccedens in defuncti locum, the heire ſucceeding in the place of the deceaſed, ſhould by any law bee ſtrengthened and enabled to doe more then the teſtator himſelfe might haue done: or the partie to whom delegation is tranſmitted, then the principall that did delegate. One rule can neuer faile, that *diſcipulus* is not *ſupra Magiſtrum*, becauſe hee can neuer faile that gaue out that rule: and if a man obſerue it well betweene the function of *Chriſt* which was *Magiſterium*, and the ſcope now ſhot at which is *Imperium*, the difference is infinite. Our Sauiour acknowledged vnto *Pilate*, that the power which he both had and exerciſed ouer him, was not terreſtriall, nor temporary, but it was *deſuper* from aboue: to which doctrine nothing can bee more repugnant, then the *Schoolemens* dreame, that our Princes hauing at this day the like iuriſdiction with pietie, to that which *Ceſar* held with pride, ſhould bee ſubiect touching their Eſtates and dignities to the cenſure of his Diſciples, who in perſon (whiles his conuerſation was here on earth) renounced that prerogatiue out of diſparitie, to the ſcope and end of his office. For as our Sauiour doth prooue *à minori* in another place, that his Diſciples ought in reaſon to waſh one anothers feete, becauſe hee that was their Maſter had vouchſafed out of humility to waſh theirs: by the ſame conſequence I proue, that whoſoeuer profeſſeth to be *Imitator Petri*, (as *Peter* was *Imitator Chriſti*) ought to deſiſt from forcible intruſion vpon theſe vndue claymes of

more

more then Imperiall prerogatiues, which were neither challenged by any Leuiticall predeceſſor, nor poſſeſſed by the teſtator, nor conueyed by the teſtament. For the graunt which was conueyed by God the Father to his Sonne *omnis iudicij* of vniuerſal Iudgement both in heauen and earth, is abſolute, whereas the charter which the Church of *Chriſt* receiueth of her Spouſe, is limited and tyed to the validitie of the euidence, & the ſtrength of witneſſes, with the preſcription of antiquitie. When *Chriſt* knew that ſome would euen in paſſion make him a King perforce and maugre his affection and reſolution, *fugit in montem ſolus*, whereas they themſelues as *Succeſſores Chriſti, & hæredes Apoſtolorum*, deſcend from the mount of contemplation, into the valleys of ſecular agitation, to make a partie for their aduancement *ad regalia Chriſti* made a difference betweene his diſciples (following a Maſter that had not ſo much as the foxe, a hole wherein to put his head) & thoſe that dwell in *Regum domibus*; whereas now the difference (if there bee any) is on the other ſide. This orderly and modeſt maner of proceeding, recommended by the *Lycurgus* of the Goſpell, which is *Chriſt*, was continued by the reuerent Apoſtles during their time; and likewiſe by the godly Biſhops that ſucceeded them, for the ſpace of a thouſand yeeres: for further then the cenſure of eſteeming thoſe as *Ethnickes* and Publicanes that wilfully refuſed to giue eare to the doctrine of the Church, I finde not that the Church

preſumed,

preſumed, the *Popes* challenged, nor Princes acknowledged.

Saint *Peter* (from whoſe prerogatiue many ſeeke to deriue this priuiledge of depoſing Kings vpon conuiction, or rather ſuppoſition, as it happened for the moſt part, of contumacie) commaunds the faithfull to obey euen that Prince that was a butcher of the flocke, and a bloody tyrant in his time, (becauſe he was ſuperexcellent,) and al Magiſtrates that were, ſubordinate in charges and employments vnder him. He forbiddeth all good Paſtors alſo, which ought to bee *forma gregis*, the patterne of the flocke, *prouidere coactè*, to prouide by compulſion, or *in Cleris dominari*, to domineere among the Clergie, (though that bee within the compaſſe of their owne ſquare) much leſſe meant hee to ſet them ouer Emperors and Kings, that are fixed in the higheſt element; Nay, which is more, he denies flatly (if we may giue any credite to that author which beares the title of Saint *Clement*) that any of his ſucceſſors were ordeined by God, to be *cognitores negotiorum ſecularium*, examiners or Iudges of cauſes that are ſecular, which is now become the chiefeſt ſcope and obiect of our primacie.

Wherefore, if *Peter* were commanded to put vp his ſworde, when *Chriſt* was at his elbowe to heale (as he did) the greateſt wound that it could make: how much more ought his ſucceſſors to keepe the ſword within the ſcabberd, ſince it is ſoberly and orderly put vp, and that they may doe

doe more hurt in their paſsion, then they can helpe by their priuiledge. Saint *Paul* his fellowe Martyr and Apoſtle, would neuer haue ſubiected *omnem animam* euery ſoule, whether they were Biſhops or Monkes, Regular or Secular (as *Chryſoſtome* notes) to ſuperiour authority, in caſe he had bin priuie to an exemption of ſome ſoules by expreſſe warrant. The qualitie of euill Princes ought not in reaſon to extenuate the force of the inhibition, tending to the peace and order both of Church and State: for then S. *Peter* would not haue commanded ſeruants to be ſubiect to their Lords, *non ſolùm bonis & modeſtis, ſed etiã diſcolis*, not only to thoſe that are good & modeſt, but alſo to thoſe that are peruerſe: *non propter metum, ſed propter conſcientiam*, not for feare, but for conſcience, ſaith Gods ſpirit. Neither would S. *Iude* haue cenſured thoſe malecontents ſo ſharpely that doe *ſpernere poteſtatem, blaſphemare maieſtatem*, not in reſpect of their glory, but of their Lieutenancie. This is not the readieſt and beſt reſolution *manendi in vocatione* of cõtinuing in our vocation without impatience or ſtrife, to winde our obedience out of that obligation wherein the Goſpel found vs, and God hath elected vs. The ſeruantes of God had recourſe in all times to lawful remedies, vpon the offer of vnlawfull wrongs; and though there could not bee a worſe Prince, or rather a more ougly monſter vpon earth, then hee that held the place of *Cæſar* in the time of *Paul*: yet *Paulus appellauit Cæſarem*, and being taken at his word,

was ſent thither to be tryed orderly. It was lawfull for the Prophet *Nathan* to reproue *Dauid* for his ſinne, though he did not plucke him out of his chayre of State. Our Sauiour deſcribing *Herods* qualitie, in craftie circumuention of Gods ſaints, did properly and aptly terme him, *Vulpem*, a foxe, though he did not vndertake to hunt him out of his earth. And though to warne, admoniſh, and aſſure the *Tetrarch*, *nõ licere*, that it was not lawful for him to keepe his brothers wife, were an office fit for a *Iohn Baptiſt*, and a worthy Paſtor of a holy Church; yet he neither would nor durſt aduenture to releaſe his Subiectes of their faith which they ought him by their homage. *Polycarpus* the diſciple of Saint *Iohn*, as we find him reported by *Euſebius*, diſpenſed with no breach of any bond, though in caſes that intend perill to ſaluation, as *Idolatrie*, and the like. The Chriſtians of the firſt age were neither *Albinians* nor *Nigrians*, ſayeth *Tertullian*: that is, ſtayned with no faction either to thoſe aſpiring parties, or affections of the time, but deuoted to the ſeruice of the ſoueraigne, *quomodo licuit et ipſis expedierit*, ſo farre as it was lawfull for the perſon, and expedient for the Prince himſelfe. How farre is that? Euen ſo long as they honor him *vt hominem à Deo ſecundum, et ſolo Deo minorem*, as the next perſon to God, and inferior to him alone, without making him (as ſome did) a competitor with the Omnipotent.

Honeſt men wil ſtart and ſhrinke at thoſe loud alarmes, when they reade with how great obedi-

ence

ence and humilitie that bleſſed father *Athanaſius* (vpon whoſe ſhoulders our aged Mother the Church of God leaned, in the time of ſharpeſt perſecution, to take her reſt) cleared himſelfe of the falſe ſuſpitions & wrongfull aſperſions, that were caſt on him by deuice of ſpeaking euill of *Conſtantius* the great Arrian Emperour: his dutifull reſpect was grounded vpon that warning of the holy Ghoſt, Not to curſe the King in the ſecret of our conſcience, nor in the moſt priuate and inward corner of our cabinet to wiſh euill to him. S. *Hillarie* would not ſo much as moderate or ſtint himſelfe, but leaues it wholly to the diſcretion of a wicked Emperour, *quatenus & quomodò eum loqui iubeat*, how and how far he would bid him ſpeake. Saint *Ambroſe* acknowledgeth no weapons of defence to bee ſo proper to the Prieſt, as teares and prayers: for I can pray, ſaith he, I can ſigh and weepe, but I cannot reſiſt any other way. And therefore Saint *Ierome* to *Heliodorus* ſaith, A King ruleth men whether they wil or no: a Biſhop thoſe that are willing. *Ille terrore ſubiecit, hic ſeruituti donatur.*

To that queſtion moued by *Donatus* out of faction and ſcorne, *Quid Imperatori cum Eccleſia?* What hath the Emperour to deale or intermeddle with the Church? *Optatus* a learned Father anſweres tunably to the note and dittie of *Tertullian* that is mentioned before, that (ſince God onely is aboue the Soueraigne) *Donatus* in extolling himſelfe aboue the Emperour (as Antichriſt

out of pride ſhall aboue all that is called God) *iam hominum exceſsit metas*, hath now tranſcended the bounds of humanitie. The patience and piety of thirty Popes laying downe their heads vpon the blocke ſucceſſiuely (at the firſt planting of the Church) to ſeale the bond of conſcience with the blood of innocencie, may teach thoſe that come after, as well to follow their example, as to claime their primacy. For though *Liberius*, a Paſtor of that ranke, was vniuſtly baniſhed and exiled frō his Church; yet he neuer ſought to right himſelfe by the bloody ſword, but rather by that golden rule of obedience and patience, which our Sauiour left to his Diſciples *ſub ſigillo*, and they to the Church *in depoſito*. *Symancha* with his fellowes may perhaps anſwere to theſe paſſages, that the Church was ſwathed all this while in the bands of weakeneſſe, that the ſickle carried not at that time an edge ſharpe enough for thoſe ſtubborne weedes, and that the faythfull had not as yet rayſed themſelues to that height of credit, that might giue life to their execution. But if the conſtancie of obedience had bene ſquared by the liberty of mens election, and this had bene the latitude of loyalty in thoſe well diſpoſed times, when Biſhops onely ſought Gods honour, not their owne prerogatiues; Surely the Church of Chriſt had wanted a great part of thoſe Martyrs and Confeſſors, which are ranked at this day in the Roman Calender. They that take this ſcope, may conceiue and publiſh when it pleaſeth them,

that

that lay Subiects in like manner are no longer bound to obedience and loyalty, then they finde themselues ouer weake to make powerfull opposition to vngodly Magistrates, and so confound all Lawes of Iustice in the State, and all degrees of Subiects that in priuate are bound to liue orderly. *Tertullian* doth notably conuince this paradox, as well of falshood as leuitie, by making a cleare demonstration of the strength and potency of godly Christians in his owne time (which was among the first) in case they would haue put their forces to the strongest proofe, since all publike places, as Courts, Consistories, Campes, and Fortes, were stored and furnished with men of that profession and qualitie.

The Legions that were entertained by faithles Princes in pay, and prospered in the greatest actions they vndertooke, might haue purchased a farre better fortune at an easier rate, in case they could haue satisfied their owne consciences, by opposing against order. If the godly Christians that liued vnder *Constantius* an Arrian, would haue sought their ease, by stepping ouer to the seruice of *Constance* and *Gratian* that were religious; they might haue caused their owne Soueraigne to shrinke at their transport, that before made aduantage of their humility. If any man will take vpon him more in these dayes, saith *Chrysostome*, then was granted heretofore to Subiects, that were vnder infidels, *Quod maiora sibi concedita esse dixerint*, because they say that more

is committed vnto them; they muſt be taught, *non nunc honoris ſui tẽpus eſſe*, that it is not the time and place of their preferment, ſince they are as pilgrimes in this Worlde, but they ſhall in another ſhew appeare more bright & glorious to all men, *quando Chriſtus apparuerit, & tunc cum Chriſto comparebunt in gloria*, when Chriſt appeares, and they with him, they ſhall appeare in glory. Though Saint *Gregory* confeſſe himſelfe to haue beene ſo powerful in Italy, that he needed not to haue left among the Lombards either Duke or Count, in caſe he would haue oppoſed confidently his endeuour againſt their rage; yet finding *Theodolinda* the Queene to haue beene ſeduced ſlily by ſome Serpent of that ſort from the ſinceritie of her profeſsion, and dangerouſly withdrawen from God to Belial, from pietie to hereſie, tooke no harder courſe, then by forewarning her with a fatherly affection, and in humble tearmes to take heede in time, that ſhe tainted not the ſweet bread of many morall vertues (worthy to be ſerued in the ſupper of the Lambe) with the leauen of the falſhood and impiety of thoſe miſbeleeuing teachers that abuſed her credulity.

It had not bin hard for *Chryſoſtome* (in reſpect of the tender loue which was borne him by his flocke, not *ad aras* onely, but *vltra aras*, if his patience had beene pliant to their deſires) to haue wearied that vngodly Princeſſe *Eudoxia*; that would neuer giue him reſt nor breath in the crooked wayes of her owne wickedneſſe. But if the

the doctrine of ſome ſchoolemen in this age bee found to differ ſo much from the former demonſtrations of obedience and trueth, why ſhould I not complayne, that *nunc deſinit eſſe remedio locus, vbi quæ fuerant olim vitia, nunc mores ſint?* It is true that long after this, the Officers of the French King *Philip* the Faire complained, and vpon iuſt cauſe, that *augendo Sacerdotum iura, Iura Regia minui*, the Kings rights or Liberties were appayred by the rayſing of the rights and Priuiledges of the Prieſtes. It may bee likewiſe true that is written by a Countrey man of ours, that *Gregory* the ſeuenth confeſſed on his deaths bedde, (but with what remorſe or touch of conſcience God knowes) *Ex minutione Laicorum ſe Sacerdotum promouiſſe gloriam*, which in diuers wordes is of one effect: But yet al Biſhops were not of that minde, but keeping faſt in memory that obſeruation of the Prophet *Dauid*, That to drinke of waters drawen from the ſprings of *Bethel*, with perill and hazard of mens liues, was *ſanguinem bibere*, to drinke blood, were as cautious in quenching ſparkes of diſſenſion and ſtrife by charitie, as others were to kindle them out of ambition and vaine glory. For in caſes of this nature, *Non eſt opus ſæuientis animæ ſed medentis ſtudio*: for charitie is patient and courteous, *Nec inflatur nec eſt ambitioſa*. *Peter* hath two keyes, one of knowledge, another of power: theſe are prepared and fitted alſo to two lockes, that is, Induration, and Ignorance: and hardly ſhall wee finde, that without both,

both, and a ſure vſe of both, any ſtrong lockes of oppoſition or obſtruction, hath bene opened. Wherefore no man need to doubt, but that among ſo many godly, graue, & learned Biſhops, (as will euer ranke themſelues, *tanquam in acie ordinata*, to diſcourage and affright the forlorne hopes of *Symanchus* ſchoole) theſe poſitions will ſinke: and ſome that haue bene lothe to yeeld out of humour, yet will be forced to faint out of cowardiſe.

The godly learned neuer once vouchſafed to lend their eares to the deceitful tunes of bewitching charmes, rather grounding their opinion vpon the fourth Councell of *Toledo*, by which all ſorts of perſons are condemned without diſtinction or exception, *Qui fidem regibus ſuis Sacramento promiſſam obſeruare contemnerent*, that contemned or ſcorned to keepe the faith which they promiſed by oath to their Soueraigne: taxing by this firſt part, all perfidious traitors in generalitie.

But that which followes, pincheth *Nauarre* and his diſciples at the very heart: *Vt ore ſimularent Iuramenti profeſſionem, cum mente retinerent perfidiæ impietatem*, and with their mouth diſſembled a profeſsion by oath, when in their minds (or mentally, to vſe the very word of our Schoolemen at this day) they retained ſtill the wicked purpoſe of Treaſon. In deed *Pythagoras* imprinted nothing in the minds of his ſchollers more deepely, then that prophane Verſe

Iura, periura, ſecretum prodere noli.

The

The Epicure on the other ſide was ſatisfied *modò mentem iniuratum gereret, etiam ſi lingua iuraret.* And you, *M Garnet*, (to make vp ſuch a triangle as can neuer bee reduced to a *cube*, (that is a perfect ſquare) diuulge and publiſh to your auditorie (which thoſe blinde Philoſophers durſt not profeſſe beyond the compaſſe of their Schooles) that it is lawfull to drawe wordes to the ſence of thoughts, to caſt a miſt of errour before an eye of ſingle truſt, and to deceiue your brother for your owne ſecurity. I am very ſure the learned Fathers neither knew the way, nor had the will to eſcape by ſuch a kinde of *deceptio viſus*, as directly tends *ad deſtructionem animæ*. For when *Athanaſius* was ouertaken by a Purſeuant, and asked, *Quantum inde abeſſet Athanaſius?* how farre *Athanaſius* was from thence? though it ſtood vpon his life in a time (as you make of this) of perſecution, and hee a perſon farre more choyce and dainty, for the defence of Gods owne quarrell (as appeared by his quicke and ſharpe encounters with the profeſſed enemies of truth in that holy *Nicene* Councell) then you are in this kingdome, for the iuſtification of thoſe bad attempts and impious actions, which you take in hand) yet he anſwered as freely without fraud as feare, *non longè abeſſe Athanaſium:* which was very true, becauſe he was the man for whome the partie ſought, and cared little, as appeares, how ſoone they met him. A man of weake conceit may apprehend how farre our Sauiour himſelfe was from theſe Chimicall

conſtructions, and euaſions ſophiſticall by that vniuerſall propoſitiõ, *Quicunq; me negauerit*, whoſoeuer denied him before men, ſhould be denyed by him before his Father, &c. For to put out cautious Equiuocators frõ al hope of ſuccour in this ſtreight by their diſtinction of verball and mentall negatiues, I vrge the precedent warning in that very text before, *Non timere eos qui occidunt corpus, & animam non poſſunt occidere*, not to feare thoſe which haue power onely to kill the body, and not the ſoule. For if our Sauiour had left his diſciples ſuch a ſtrength of ſuretie for retrayt vpon purſuit as verball flouriſhes (whatſoeuer were conceiued or reſolued in the minde) he needed not ſo carefully to arme them with encouragement and hope againſt aſſaults of crueltie.

The paſſages which both you and other of your complices wreſt from the mouth of *Chriſt* himſelfe for a faire countenance of couſinage in this labyrinth, would rather *commouere nauſeam quàm bilem*: though I muſt tell you, that ſinguler examples drawen from our Sauiour that was both God and man, (and not onely knew by his eternall wiſedome, but was alſo by his matchleſſe power to rectifie whatſoeuer ſeemed to our dull conceits obſcure) are neither rules of our encouragement, nor warrants for our imitation. I make no doubt for my part, but theſe egges of *aequiuocation* and mentall reſeruation (neuer engendered nor couered by fairer birdes in better times) were hatched (as the Poets faine) of Oſ-

prayes

prayes with a thunderclap. For among the Martyrs and Paſtors primitiue, their prayſes were reſounded with the lowdeſt and ſweeteſt cries, that were moſt reſolute, (without euaſions or tricks) to lay downe a tranſitorie life in a moment, to the purchaſe of a better in eternitie; ſo farre they were from forcing wit, or ſtrayning craft to ſecure cowardiſe. But to paſſe ouer this iuſt motiue of digreſsion, I will conclude the chiefe point, which is the care beſt men haue euer had, to preferre obedience before ſecuritie, loyaltie before life, with a diſcreete anſwere of a *Pope* to a King of ours (which may ſerue you for a better preſident in the courſe of patience, then that eyther of *Gregorie* the ſeuenth, *Boniface* the eight, or *Alexander* the ſixt in their practiſes of extremitie, if it ſo ſtand with your pleaſure.) *Richard* the holy warrier, hauing committed a *Normane* Biſhop priſoner, whom hee tooke in fielde againſt him with his coate armour vpon his backe, receiued within a while after an vrgent requeſt (if not a powerfull inſtance) from the *Pope* at the earneſt of other Biſhops, for the priſoners enlargement; whom it pleaſed his Fatherhood in the Letter by a worde of indulgencie (but yet without that ground of equitie which moued the Apoſtle *obſecrare pro filio ſuo, quem genuit in vinculis*, to preſſe *Philemon* for his ſonne *Oneſimus*, whom he begate to *Chriſt* and his Church in dureſſe) to call, his ſonne. The King wittily alluding by his anſwer, to that place in *Geneſis*, where *Ioſephs* particolou-

red and pied coat was offered to the aged father ſteined and ſprinkled with blood, ſent not the priſoner who remayned faſt, but the coate armour (which was looſe) to the *Pope*, inquiring *à beatiſſimo Patre* (by this milde queſtion) *an hæc eſſet filij ſui tunica*, whether this were the coate of his ſonne? The *Pope* ſurpriſed with a demonſtration, and obſeruing heedefully the markes which could not lye, returned a graue anſwere to the King, *Nec hanc eſſe filij ſui tunicam*, That neither this was the attire of his ſonne, nor he purpoſed ſo to acknowledge the pattie that was taken in that coate, and therefore left him wholly to ciuill Iuſtice, and the Kings gracious pleaſure. For it is true, that ambition, which is moſt bolde vpon aduantage, is moſt cowardly vpon ſurpriſe: and howſoeuer humors may ſometimes vrge mindes that are not euenly balanced with diſcretion and conſcience, to vndertake attempts euer aboue duety, and oftentimes aboue their ſtrength: yet ſecond witts obſerue the ſlips and errors of the firſt, and thereupon concluding at more leyſure out of iudgement, that *vis expers conſilij mole ruit ſua*, they beginne likewiſe to feare that vaſte deſires aſwell as buildings, where foundations are not firme, ſinke by their owne magnitude. It is not poſsible that humors ſhould be durable (conſidering that *materia prima*, the firſt matter, out of which they ſpring, like *Proteus*, is capable of as many ſhiftes or formes as the worlde hath variations and accidents) wearing and conſuming like a garment

with

with inceſſant vſe: but the morall vertues which haue their roote in the Deitie it ſelfe, and deriue their influence from grace, muſt of neceſsitie bee coeternall with their Author, who doth not onely plant, but water, and produce out of his owne goodneſſe correſpondent fruites that ſuite their originall.

By theſe demonſtrations, wee learne what lawes were currant, what bounders kept, and what courſe and manner of proceeding was obſerued toward Princes by modeſt Biſhops, which either liued very neere, or imitated thoſe that liued next to the preſedents of Apoſtolike humilitie. Now therefore it ſhall not bee impertinent (the ſubiect mooving in due place and with due circumſtance) to deſcrie (not by idle imaginations, but by euident impreſsions) how couertly and as it were by ſtealth, incrochments crept vpon the carpet, before they durſt by any forcible attempt inuade the ſeate of power: *et cum dormirent homines, venit homo inimicus:* and when men were in ſleepe; the deuill came *et ſuperſeminauit zizania.* It is confeſſed indifferently by all perſons of all ſortes that are either iudicious or ſenſitiue, that thoſe *Maximes* which pearce to the Center, and touch the very life of conſcience, ought rather to bee fixed vpon the poles of conſtancie, then caried vpon the wheeles of change; and that not *Iſrael* alone, but all morall and indifferent affections ought to anſwere *Amen* to the curſe which God pronounced with his owne

mouth against all men of whatsoeuer qualitie, that dare presume to remoue or put aside Lande markes, or bounders of iurisdiction which preserue peace: and yet by tract of time and long experience, wee see that *ab illo motu trepidationis* euer since that trepidation or quiuering (as it is tearmed by *Astrologers*) which preuailed in the mindes of fearefull Princes, vnder powerfull straines, there haue bin many variations of degrees and distances in the conclusions of Church gouernement; especially within these last 600. yeeres, which moues wise men to resort to the iudgement of a graue Philosopher (discoursing of diuersitie of times and persons that did sway those times, either by predominance or arte) *quo minus ab ortu aberant*, the lesse distant they were frō the first originall, the more perfectly they discerned trueth: and of the same mind is *Tertullian*, *perfectiora prima*, the neerer the Spring head, the purer streames: which is the scope of our industrie.

To rippe vp matters therefore from the very roote, without obstruction or passion, wee may obserue that so long as the plough of persecution did not only make deep furrowes on the backs of godly Bishops by torture (which the Prophet by the text in the Psalme, *Super dorsum meū fabricauerunt peccatores*, seemes to touch,) but by vexation, and anguish also in their very soules which those humble spirits feele, that are most sensitiue of the least scratch giuen to loyaltie, it rent vp by the

roots

rootes all thoſe weeds of ambition and emulation which in calme ſeaſons are apt to ſpring out of the rancke grounds of originall infirmitie: For till the bleſſed raigne of *Conſtantine*, wherein the rage of perſecution began to ceaſe, I find almoſt vniuerſally no other kinde of ſtrife among the godly Fathers, then whoſe counſell or endeuour by a religious and modeſt kinde of emulation, might bee of beſt vſe to the propagation of the Churches limits, and of Gods glory. The Church it ſelfe (which is the body myſticall of Chriſt) might by Analogie bee properly reſembled to the ſtomacke of a body naturall, which though it receiue much, yet makes equall diſtribution, by diuiding and diſperſing that which it receiues to the vſe and ſuſtenance of all the other parts, which would otherwiſe decay, and by degrees waſte and periſh.

If all this while a Tribune had ſtood vp to complaine againſt the Church of Rome, as *Menenius Agrippa* did againſt the Senate, comparing it to the belly (which deuoured all and did no good) the pooreſt & the weakeſt member would haue vtterly diſclaimed and diſauowed the leaſt ſenſe of ſuch a wrong: but if the belly afterward by caring onely how to feed it ſelfe, did pine the other partes (as the populares did then ſuggeſt,) and by transforming the orderly and well compacted body of the State politike into a monſter, by ſo great diſproportion of nouriſhment, did violate the lawes of nature, & diſſolue the bonds of

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vnion, wee muſt confeſſe, that both *Menenius* with them, and (if the caſe be like) all faythful patriots and members among vs haue reaſon to require remedy.

It is certaine, that the end of theſe firſt Biſhops was then to feed the flocke, not to fill the payle: to ſpread the fayth, not to extend the lyne: to drawe Kings to perfection, not to depoſe them from their States: to ſettle peace, not to rayſe diſſention: to prepare the Subiects hearts to obedience, not to inflame it with preiudice: to be at peace with all the world, holding peace of conſcience to bee all in all, ſo they might gayne to Chriſt, and in no caſe to ſhew themſelues *percuſſores*, or *violentes*, which the Canons of the Church (beſide the prohibition of *Paul* himſelfe) will not ſuffer.

Some of the latter (but beſt learned) writers, finding by the curious examination of ſundry paſſages, and infinite Interpreters, how hard, or rather how vnpoſſible it is to proue their title to this high prerogatiue of depoſing Kings, by direct euidence out of the word of God, and ſuch witneſſes of Record as are aboue exception; reſort to proue by Charter, Graunt, and priuiledge from Princes pieties: as for example, frō *Conſtantine* the firſt and beſt, *Phocas* the firſt & worſt, *Ina* King of the Weſt Saxons that was religious, and King *Iohn* that was impious, as well *ſans foye*, as his title was *ſans terre*. In which crew, ſome entending ſerious deuotion, others pretending fained

ned ſatisfaction to other ends: and all as the times then taught, that no ſeedes ſpring vp more ſpeedily then thoſe which are ſowen *in area Dominica* for redemption of ſoules, left them better earneſt of their hopes by gift, then our Sauiour did in his teſtament by legacie. Againſt the pretended Charter or Donation, which ſome of the Canoniſts more zealous then iudicious ſeeke to deriue frō *Conſtantine* to *Siluester*, though I need ſay little becauſe the beſt grounded iudgements and moſt modeſt ſpirits of that ſort, haue torne away the paynted viſard from that warped face: Yet becauſe in matters of this moment, too much cannot bee ſayd, I meane more ſuccinctly then the nature of that ſubiect (being once vndertaken) doeth permit, to preſſe ſome ſhort arguments. Firſt, how vnlike it is that *Siluester* (the next Biſhop but one to that worthy & renowned ranke of Martyrs that loſt their liues for the profeſsion of *Chriſt*) ſhould vpon the firſt pauſe of reſpiration to take breath, (after ſo many manfull combats againſt Gods enemies) abuſe the fauour of ſo gracious a time, by hunting after the vaine tenures of principality. The Biſhops that had kept themſelues aboue water all this while, by the ſtrength & fauour of that powerfull hand, which ſupported *Peter* on the ſeas when he was at the point to ſinke, by learning now to ſwimme ſuddenly with the bladders of the worlds ambition, might haue caſt themſelues into greater danger of drowning in the riuers of *Damaſco*, then in the

red ſea that the Saints paſſed ouer.

Platina reports out of the *Popes* owne records, that *Silueſter* refuſed at the hand of *Conſtantine diadema gemmis diſtinctum*, a crowne or diademe ſet with precious ſtones, as an ornament not conuenient nor agreeable to a Paſtor in his place. Though godly *Neſtor* call it only *ſignum ſuperbiæ*, a ſigne or badge of pride: *Silueſter* ſhould haue bin found guilty not of a ſigne, but of pride it ſelfe, and that in the higheſt kinde by the graund Iurie of all his predeceſſors Saints in Heauen, in caſe hee had accepted what theſe men certifie to haue bin offered. Among the Fathers and hiſtories of the Church (how copious and large ſoeuer in expreſsing the great fauours which the ſpouſe of *Chriſt* receiued by the pietie and bountie of this Emperor in other kindes) appeares no ſcrippe of euidence to make good this graunt: which were an argument of great ingratitude, if they had either heard of any diſpoſition in the Prince to giue it, or in the *Pope* to accept it. Neither is it like that ſo religious a prince would haue left that to his ſonne, that he gaue to the Church, nor from thence his godly Succeſſors, as *Theodoſius*, would haue detained it. Beſides, all writers proue how powerful the Lieutenants of the *Greekiſh* Empire, whom they called *Exarches*, were long after the date of this pretence, which could not ſtand with the ſtrength wherein hereby they ſtriue to plant the Papacie. I finde by direct acknowledgement *veniſſe prouentus &c.* that reue-

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nues came from certaine places for the maintenance of the church of *S. Paul* erected at the humble ſuite of *Silueſter* by *Conſtantine*: and from *Sardinia* by the report of ſome to that Church which his holy mother built. Againe, that the tributes were conferred on the Churches, which ſome Cities payd into the Checker in former times: and theſe I take to be the ſhadowes and colours of this idle dreame. For of the *Charter* it ſelfe, (which exceedes ten times in value all that is recorded touching Churches in particular, and in reſpect of a greater eminencie and prerogatiue, ſhould haue caried a farre greater reputation and made a fayrer ſhew) there is not ſo much as a marke whereby they may take their ayme that are moſt ambitious. How litle credite, ſtrength or honour any Church can gaine by deriuing Charters from *Phocas* a laſciuious faithleſſe tyrant, wickedly embrued with the ſlaughter of *Mauritius* his maſter, wife, & heires, and vſurping that eſtate vniuſtly, (by the countenance whereof he was bolde to giue more then either of right he ought or could) I leaue to their opinions that loue to meaſure claymes and titles rather by the line of equitie, then by the laſte of ambition. But yet to make more of a tyrant by vouchſafing a ſhort anſwere to his ſhadow, then in conſcience is requiſite, I firſt inferre, that ſuch *Charters* granted chiefly vpon ground of cunning, and with a purpoſe to maintaine the plot by partie, which was vndertaken and begun by fraud, might either

haue bin afterward reuoked by himſelfe, or annulled and repealed by his ſucceſſors: And further ſay by iudgement of the beſt Ciuilians, that no Princes acte is warrantable, without the publike aſſent, according to that *Maxime*, *Quod omnes tangit, ab omnibus approbari debet*, that tendeth to the States preiudice.

Laſt of all, I proue that our countrey in particular could take no copper by this tranſpoſition admitting it to haue bene ſound and abſolute, becauſe we were excluded from the care, protection and prouidence of the *Romane* Empire, very neere 200. yeeres before that *Phocas* with his bloody hand began to ſteare that Monarchie. For after that *AEtius* Lieutenant for the *Romane* Emperour in the parts of *France*, did onely ſend inſtructions and orders to the waſted *Britaines* how to range their battails, and diſpoſe their fights with a carefull, and yet a finall anſwere not to looke for any more ſupplies or aydes from that eſtate, which then fell into faction, and was no longer able to ſupport it ſelfe; The *Britaines* holding themſelues abandoned, (in which caſe all Lawes free them both of duety, & dependencie,) after many bloody battels vnder their owne Kings againſt the *Scots* and *Picts*, fel into the *Saxons* hands, who like a *Pharao* that neuer knew *Ioſeph* or his fathers houſe, erected a braue Monarchie (though ſometime quartered and diuided into many parts among themſelues) and maintained it in abſolute authoritie, without acknowledgement of any forraine

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or ſuperiour command, till by a ſecond or third relapſe, it became a pray to the *Normane* conqueſt. Wherefore *Phocas* hauing neither poſſeſsion nor right in this ſtate (left by negligence, or abandoned by neceſsitie ſo many yeere before,) could conuey no more to the Church, then he either had or ought to haue, which was *accidens ſine ſubiecto, Individuum vagum*, and a *nihil indeclinabile*. The contribution of *Peter* pence to *Rome* by *Ina*, being called in the *Saxon* Hiſtories the Kings *Almeſon*, in the Lawes of *Canutus*, *Larga Regis benignitas*, and in that abſtract which is left of the Confeſſors and Conquerors decrees, *Regis elemoſyna*, proceeded (as the words import) not of duety, but of charitie; And in reſpect of any temporall prerogatiue (which is the key of theſe aſpiring claimes) doeth rather proue the Pope then ſitting; to haue bene King *Inas* beads man, then King *Ina* then raigning, to haue bene the Popes homager.

I could alledge alſo an allowance of a ſpeciall manſion for Engliſh Pilgrimes that were drawne to *Rome* about affaires, bearing that title to this day, in reſpect of the great pietie and bountie of the *Saxon* Kings, which falling within the compaſſe of that naturall contract *Do, vt des* copiouſly handled by the Ciuil Lawes, and compared with the contribution, may rather proue an exchange then an impoſition.

To the colour of King *Iohns* donation, who was as likely to haue departed with his ſoule as

with his Crowne and vpon the ſame conditions, if neceſsitie had preſſed him: I could giue ſatisfaction by that ſound note of a Monke of S. *Albones* according tunably with that former concerning *Phocas* out of the Ciuil Lawes, that, *Regi non eſt dare regnum, quod eſt reſpublica, ſine aſſenſu Baronum qui tenentur regnum defendere:* and therefore he can not giue away the Ports and Cities, which are branches and members of the maine: but I will take it vp at a ſtreighter lincke, and auow by *Mathew Paris*, that ſo farre was the Parliament, which hee termeth *Regni vniuerſitatem*, from aſſenting *deteſtandæ obligationi* to this deteſtable and hatefull band (as it is fitly called by the Monke of Weſtminſter) that the Metropolitane himſelfe *pro vniuerſitate contradixit*, contradicted and withſtood it in the behalfe of the whole Parliament.

The iudgement of *Philip* the French King vpon the publication of this Charter is much commended by a writer of that age, for the defence of this Paradox, which hee thought would proue *perniciosum Regibus & regnis exemplum*, a dangerous example, and fearefull preſedent both to Kings and kingdomes. He would haue men reſort to *Peters* ſucceſſors about matters that concerne the ſoule, and not *de regnis, guerris, vel militia*, which doe not belong to him. Laſt of all, the Sauing which was luckely inſerted in this Charter or donation, namely, *Saluis nobis & hæredibus noſtris Iuſtitijs, libertatibus & regalibus noſtris*, makes

makes it abſolutely voyd and of no effect: the maine prerogatiue being ſafely preſerued, by Gods prouidence, which the King would otherwiſe haue let ſlip, by a circumuented and ouerawed facilitie. It is reported by the Monke of Weſtminſter, a witneſſe (according to the ſtate of thoſe times) of beſt regard, That the Pope reſiding and abiding at *Lions*, this deteſtable graunt was burnt. The author of *Eulogium* addeth further, That it was releaſed *cum omni fidelitate & homagio*, by the Popes direction to the Engliſh Parliament. And ſir *Thomas More* that loſt his life in defence of the Popes primacie, deſerues beſt of any to be credited in my conceit, auowing, Firſt a weakeneſſe in the King ſeeking to ſubiect his Crowne to ſuperior commands: and next, in the graunt a Nullitie. Beſides, not onely ſir *Thomas More* affirmes, That the Popes Impoſition, with the Kings Conceſsion, was neuer payd; But it is further fortified by addition out of the Rolles of Parliament in the 50. yeere of *Edward* the third, That when the King was threatned with a citation from *Rome* for detayning dues vpon this graunt, with large arrerage, the whole body Spirituall and Temporall, of the kingdome there aſſembled, after graue deliberation & long aduiſement *reſiſterent & contradicerent, auec toute leur puiſſance:* and vpon theſe grounds that the Charter was againſt the Kings oath at his Coronation, and without the voyce of his Parliament.

Since therefore *Phocas*, *Ina*, *Iohn*, nor *Conſtantine* adde

adde any further weight to the pretence of a deposing interest, then was in charge before: discretion and obseruation will iudge whether the state of the *Romane* Bishops were not had in greater reuerence while they sought to win by pietie, then to straine in passion; to bow then to breake, and to temper, then to exasperate. Religion and Humility then were the corner stones of that stately front which the world so much at the first admired in the Church of *Rome*, though afterward by the change of Bishops in that Sea, and of humors in those Bishops, so great alteration was found, as *Minerua* comming afterward to *Athens* could hardly take notice of her owne ship; nor *Constantine* at *Rome* of his owne nurse; nor as S. *Hierome* notes (of painted women, that cast vp their eyes to heauen if we consider how many false colours haue bin set vpon the pillars of Church gouernement, hardly *Christ* of his owne creature in the time of *Pope Alexander* the sixt, if shee had bin put in minde to call on him. In the beginning it agreed with *Daniels* Image in the head of golde for godly gouernment, in the breast of siluer for vnspotted conscience, and in the legges of brasse for incessant industry. But afterward in succeeding ages, the heads of many *Popes* grew humorous, their breasts auaricious, and their legs idle.

That holy *Nicene* Councell (whereof I neuer speake without reuerence and due regard) in that great diuision which was made of the patriarchal Iurisdictiõs according to the state of the Church

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in thoſe dayes for eſtabliſhment of diſcipline and preſeruation of vnitie, ſpeakes not one worde of any Temporall commaund, much leſſe of any right in ſuſpending or depoſing Kings, or abſoluing Subiects from their oathes of obedience and loyaltie, to be left in the nature of an *heirelome* to the *Romane* Biſhops by primatiue acknowledgement. But as *Saluſt*, very grauely and like a faithfull patriot, complaines touching the ſtate politike of *Rome* in his owne time, that *poſtquam diuitiæ honori eſſe cæpere & eas gloria, imperium, potentia ſequerentur:* faction and pride began to creepe vp to the ſeates of Senators, and the publike iuſtice of the State to ſhake: So likewiſe in the Church we finde, that vpon like corruption like diſorders grew, and many weakeneſſes began dayly more and more to diſcloſe themſelues in thoſe bright ſunne-ſhine dayes which the Saints enioyed by the bountie of a better Prince (as cockle ſtarts vp when corne growes ripe) which before was either ſhadowed with diſcouragement, or ſuppreſſed by diſcipline. I ſpeake not this, becauſe ſome ſuch kindes of heates and quicke diſtempers haue not ſometimes happened, and may not by occaſions fall out againe betweene Gods owne elect, as *Peter* and *Paul*, *Paul* and *Barnabas*, and the godly Biſhops in this very Councell, which I preſſe (though with that meaſure which becomes the miniſters of God and his Apoſtles ſucceſſors) becauſe it pleaſeth him ſometimes out of our error to raiſe his owne honor, and to make vertue per-

feɛt and complete by infirmitie: but to make it plaine, that plenty is the daughter of proſperitie, ambition of plenty, and corruption of ambition. For, after that Biſhops were admitted to appeale from ciuil Courts by the Emperour himſelfe, and their ſentences by Imperial authority were made equall to his owne; they beganne to rayſe their Creaſt, and within a while, as it is teſtified by one of the moſt ancient approoued writers of the Church, *Epiſcopatus Romanus, non aliter quàm Alexandrinus quaſi extra ſacerdotij fines egreſſus, ad ſecularem principatum iam antè delapſus eſt:* The ſea of *Rome* in the ſame manner as that of *Alexandria*, as it were exceeding the limittes and bounds of Prieſthood, had ſlidde into ſecular principalitie, though the Biſhops of neither of thoſe Seas, as we may aſſure our ſelues, were ignorant of *Pauls* prohibition to all degrees of Paſtors, that they ſhould not entermeddle with Secular affaires, ſo farre as concernes an ouer-dropping of the Regall plants, becauſe a Biſhop ſhould no more liue out of the eſement of the Church, nor a Monke out of a Deſert, then a fiſh out of water. For *Chriſt* fled into the mountaines when the people would haue made him King: and Biſhops ought with *Ioſeph* rather to leaue their cloakes behinde them, then to conſent to the charmes and vaine entiſements of the World, which like the wanton wife of *Putiphar* ſtretcheth forth her armes, and (with the *Sirenes*) ſtraynes her voyce to drawe them within the compaſſe of tentation, and then take

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hold to drowne them in ſenſualitie.

Now whereas it is ſayd by *Socrates*, *Iam antè delapſus eſt*, that the Sea of *Rome* did ſlip before that time (whereof he ſpeakes) into ſecular principality, I am induced by the report of *Ammianus Marcellinus* a graue writer, though no Chriſtian, to take my Leuell ſomewhat higher for the finding of my marke: for hee liuing in that time about the Court (and obſeruing as it were from the mayne toppe of the Temporall eſtate, what courſe was kept among all ſortes and qualities of perſons in diuers elements) makes mention of a bloody ſlaughter in a Church of *Rome*, where the Chriſtians were wont to meete for the celebration of their myſteries, about the violent competition and contention betweene *Damaſus* and *Vrſicinus* for the Papacie, and takes notice of 137. carcaſes drawen out of that Church where they met about election: and further writes, that *Viuianus* then Lieutenant to the Emperor, was glad to make retrait into the ſuburbs till the rage were tempered, or the ſtriſe ended. After this, as a man partiall to neither part, and therefore in all likelihood the more indifferent and iuſt in deeming rightly of the true ſtate of the cauſe, he gathers the chiefeſt motiue of contention and emulation about the meanes of compaſsing this height, to proceede from the great eaſe, wealth and honour that preuailed and were ſurely ſetled and eſtabliſhed in that dignitie. His reaſons are, for that *Matronarum oblationibus ditabantur* they were en-

riched with the offerings of matrones or great Ladies: they rode in Coaches publiquely: they were choiſely ſuted in their Apparell: their diet daintie, and ſometimes aboue the rate and vſe of Princes in the times of their banqueting. That *Damaſus* a competitor was one of theſe, *Ammianus* doth not affirme, much leſſe do I beleeue, finding with what reſpect and reuerence S. *Hierome* that had bin himſelfe a Prieſt of *Rome* doeth ſpeake of him: yet the maner of his clyming and aſpiring to the ſeate was ſcandalous not only vnto ſuch as were religiouſly deuoute, but euen to *Ammianus Marcellinus* that was but morally preciſe, as doeth appeare by that graue iudgement which he giues of the bleſſed ſtate, which as hee thinkes the Biſhops of *Rome* might enioy, in caſe they liued in that ſober maner, with that bare dyet, meane apparell, and humble lookes caſt to the ground, which other biſhops in the countrey did, neither taſting nor eſteeming thoſe choiſe pleaſures and delights which the delicatie and great aboundance of that place aforded them.

This paſsion of a writer whom wee account prophane, in reſpect hee was vnregenerate to *Chriſt*, nor nurſed by the breſt of his ſpouſe the Church, puts mee in minde of a zealous paſsion in *Hector Boetius* a great *Romane* Catholike vpon this very ſubiect in the Scottiſh hiſtory, *Huiuſmodi antiſtites quàm ſunt illorum diſſimiles, quia diuerſa ingrediuntur via cùm locum illorum occupent, &c.* Hee wonders at the difference betweene

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thoſe Biſhops, and others at this day which ſucceeding in their places, take another courſe: they gliſtered not in Gold, they were not reſiant in Princes Courts, they were not attended by guards, nor skilfull in the Arte of diſſembling, more gainefull by many degrees then that of Poetry, which the Vniuerſities vſe to crowne with Lawrel. This mooued *Boniface* (I meane the Martyr, not the Challenger) to preferre the deuotion of the golden Biſhops, that in the Churches pouertie adminiſtred with greater feruencie in woodden Chalices, before the vanitie of many blockiſh Biſhops that in a richer ſtate, with more ſolemnitie and leſſe zeale, adminiſter in Chalices of gold; becauſe as *Hierome* notes, externall riches adde not to the worth of him *qui corpus Domini in caniſtro vimineo, ſanguinem in vitro portat:* that carries the body of our Lord in a wicker basket, and his blood in a glaſſe. I would not bee conceiued by this ſpeach, to fauour their ridiculous conceits, that labour to draw the ſubſtance or the value of thoſe veſſels in which Sacraments are adminiſtred, to the firſt ſimplicitie: for the reaſon of *Vrias* iudging it indecent for him to lodge *in domo cedrina cum arca Dei eſſet ſub pellibus*, drawes me to a greater eſtimation of veſſels apperteining to ſo high a myſterie. For ſure I am, that the value of the content, doth infinitely ſurmount the cõtinent; & in *Adiaphoris*, that is, things indifferent, wee are left to the rule of decencie.

My onely purpoſe is but to obſerue and taxe

the declination of Pietie, together almoſt at one inſtant with multiplication of mettals and minerals, the labour which is made for charges and emploiments for commoditie alone without conſcience: and to limit thoſe exceſsiue grants *in manu viua*, which our Anteceſſors did *in manu mortua*, and the ranging of internall pietie to external pompe, though of both it were better, that wee wanted meanes that are ſuperfluous, then the moderation that is neceſſary. For *Chryſoſtome* notes two great abſurdities in cramming Churches til ſaciety cõſtraine them to regorge: the one, that Lay-men are depriued of occaſion to ſhew charitie: the other, that the paſtours themſelues often neglect their dueties, to become collectors. This is no ground for gleaning from the Church, which at this day doeth rather need *Largitore hilari, quàm interprete maledico:* but to proue that arguments againſt exceſſe and height, are the ſureſt tenures, and the ſtrongeſt pillars of ſtabilitie: for *in ſe magna ruunt: ſummiſq́ negatum eſt ſtare diu.* In defence of *Ammianus Marcellinus* from exception either of partiality or ignorãce in that which he ſpeaketh of the Matrones, I vouch a manifeſt decree ſet forth, (not by the Leeches and blood-ſuckers of the Church, but by *Valentinian* and *Gratian*, religious and worthy Princes) againſt any gaine to be made by the Prieſts of the Church by Ladies offerings; and this decree was publiſhed by *Damaſus* himſelfe, according to direction of State: which proues that *Ammianus* in the iudge-

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ment which he gaue touching the motiues of diſſention, and oppoſition, ſpake not idlely.

To make the caſe more plaine, whoſoeuer raiſeth any further doubt, may learne of S. *Hierome*, That ſome ſuch exceſſe, (or at the leaſt ouerſight) was cenſured about that time: where he ſeemes not to be ſo much grieued and perplexed with the publiſhing of ſuch a Law lighting vpon iuſt deſert, as with the motiue of that Law, which was greedineſſe. Therefore our Engliſh Biſhops in the time of *Edward* the third, aſſented (though vnwillingly) to the limitting of Church reuenues, when the States neceſsity put in a caueat. And the Pope himſelfe pretended neither quarrell nor vnkindeneſſe to S. *Lewes* of *France*, for inhibiting the graunt of any more lands or reuenues, then had bene conuerted in former times to Churches without his priuitie.

The ground of this reſpectiue caution and moderation, I take to be deriued from the courſe which *Moyſes* held, being a perſon aſwell publikely wiſe, as ſpiritually deuout, in commanding all the peoples offerings of beneuolence and pietie to ceaſe, after he had drawen in that proportion which was ſufficient for the furniture of the Tabernacle, where God was to be ſerued and honoured. For the leaſt exceſſe in things (which with moderation are laudable) doeth eaſily degenerate into vice, and all turnes to humour that tranſcends the due proportion of nourriſhment. Wee may ſoone be taught in *Geneſis*, That they

which

which could bee ſatiſfied with no moderate degrees of altitude, in ſeeking to builde Caſtels in the aire, before their ſpires and battlements might touch the clouds, were confounded in their owne idleneſſe.

You haue heard how the Churches of *Rome* and *Alexandria* were ingoulfed in the deepes of Secular principality to the wound of Monarchie, although *Spiritualis poteſtas non ideo præſidet, vt terrena in ſuo iure præiudicium faciat*, ſaith a learned Schooleman. But how hardly in the meane time the Ciuil State did brooke theſe ſlips, let vs learne (if wee deale indifferently) of *Orestes*, who was then Lieutenant for the Emperour, and complaineth bitterly of ſome Biſhops, *Quod per eos non nihil de auctoritate eorum detractum eſſet, qui ad magiſtratus gerendos deſignati eſſent*, that they drew much from the auctoritie of thoſe perſons, which were appointed to beare Office. This gallant gentleman began very earely to diſcouer (and by the breake of day) by what degrees the myſterie of ambition began to mine into the ſtrength of Monarchie: hee feared (and not without great likelyhood) leaſt Princes ſeeking to reſume their rights, might in time bee dealt withall, as the badger was by the hedghogge. For being wounded with the prickles of his offenſiue gueſt, whom at the firſt he welcomed and entertained in his cabine as an inward friend, he manerly deſired him to depart in kindeneſſe as he came, but yet could receiue no other ſatiſfaction to his iuſt

expoſtu-

expoſtulation; then, That he for his owne part, found himſelfe to bee very well at eaſe, and they that were not, had reaſon to ſeeke out another ſeat that might like them better. He foreſaw by this forerunning light, That Miſletow and Iuie ſucking by their ſtrait embraces, the very ſappe that onely giueth vegetation from the roots of the Oake & hawthorne, muſt bloome and flouriſh of neceſsitie, when the trees ſhould wither.

I know that Ciuill iuriſdiction in that good meaſure which is compatible with a paſtours charge, is ſo far from that inconuenience of hindering the growth of pietie (as ſome conceiue) as it rather ripens the fruits which in a further diſtance from the Sunne, are either nipped by the froſt, or blaſted by ſome bitter winde: So as according to that of *Nahum*, *Reſiduum locuſtæ Brucus deuoret*, I taxe thoſe onely that preſume by forged euidence to contend and ſtriue with mightie Princes for their Seats, or attempt to ſet them beſides their Thrones, which the bleſſed Virgine makes a portion of Gods owne prerogatiue. Otherwiſe I ſay with *Paul* of all the faithfull, *Si in illis mundus iudicabitur, indigni ſunt qui de minimis iudicent?* If the world ſhalbe iudged by them, are they vnworthy to decide matters of leaſt accompt? And againe, *Si Angelos iudicent, quanto magis ſecularia?* And therefore *Epiphanius* the Biſhop of *Cyprus* is highly commended in the ſtories of the Church, for the diſcreet temper and decent order he held in managing affaires both Eccleſi-

aſticall and temporall. The Councel of *Carthage* vnderſtood very perfectly the way to moderate betweene both extreames, and in fanning away the ſmoke of pride, to preſerue the gloſſe of vnfoiled modeſtie. But the Patriarch of *Conſtantinople* finding by carefull obſeruation of times and accidents what ſtrange effects the church of *Rome* had wrought in raiſing Patriarchall iuriſdictions as high as the ielouſie of gouernment and incompatibility of imperiall prerogatiue would endure, aduentured vpon the wings of pride, to mount ſo far aboue the pitch of his other parteners, as if S. *Gregory* himſelfe had not abated this preſumption more by the ſtrength of arguments, then the edge of power, it is not vnlike but hee would haue made himſelfe in the end by faction of adherents *ſimilem altiſſimo*.

Thus eaſie it is for many graines of ſand by *Neptunes* bleſsing to make a ſhelfe: for many *Peter* pence by *Inas* bountie to make a bancke: and by gatheting a great heape of ſtickes together by *Mineruas* prouidence, to make a neaſt high and wide ynough for long winged Hawkes to breed in the proportion of their owne earneſtly affected, and long laboured ſublimitie. Such were the drifts and deuices for the ſpace of many yeeres of certaine *Romane* Biſhops, often ſtrayning, but neuer reaching to their end, which was, to make a riſe ſo high, as might carry them ouer the heads of Emperors ſtill more then 300. yeeres after the ſeceſsion of *Conſtantine* and his ſucceſſors into the

East,

East, their Lieutenants wanting now that *Gorgons* head of vniuersall regiment and vnited strength, whereof they had disposed formerly, till that vnluckie diuision of one Eagles necke into two, which made the faireſt bird a monster, as according to that one noted *maxime* of our Sauiour, *Omne regnum in se diuisum, desolabitur*, gaue way, though much against their willes, to that Improuement of the iurisdiction of *Peters* keyes, which hath not since that time bin lesse feared, then at the first it was fauoured. The first motiue of the translating of the Westerne Empire into the East, as *Socrates* reportes, was chiefly to this end, *vt vulnera quæ erant à tyrannis inflicta, illis iam sublatis tollerentur*, for the cure of those wounds which were giuen by tyrants, now that they were rid out of the way. Men liked of this, and commended the discourse that vrged it, till experience, together with their owne disasters, made them finde, that (of both extreames) it is better to admit an outward distemper, then an inward combustion. The ebbe hath not bin greater by the wayning of the Empire, then the flood hath bin *ex consequente* by the waxing of the Church: which finding that her beames are brighteſt, & her glory greateſt while the Sunne is vnder our horizon, from which shee borrowes and deriues her light, hath sought euer since with her best diligence to quit her selfe of those rayes imperiall which by vicinitie may weaken, or by conunction may darken her. It is true that *Con-*

ſtantine vpon the change did at the firſt exempt Biſhops only, but not Prieſts from conuention in Ciuill Courts; the firſt ſteppe to that greatneſſe (which was *in obiecto*) to the Papacie. *Gratian* in the yeere 380. and *Honorius* in the yere 406. confirmed it. *Theodoſius* and *Valentinian* were pleaſed for encreaſe of fauour, that Prieſts alſo in lieu of Ciuill Iudges, might take their tryall before Biſhops, if the parties intereſſed in the cauſe could be ſatiſfied. *Iuſtinian* more reſeruedly then his Anteceſſors, expounds the meaning of the grant of matters onely apperteining to the Church, not otherwiſe, and for his labour receiues a wipe at the hands of *Bellarmine*. *Heraclius* exempteth Biſhops and Prieſts abſolutely from all Courts, excepting onely that of *Delegates* from the Emperour. But *Guicciardine* no *Lutherane* or *Zuinglian*, as many tearme perſons of a diuers iudgement in our dayes, but a *Romane* Catholike; no *Germane* or *Heluetian*, but an *Italian*; no *Simpleſt*, but a man as deepely learned, as diſcreetely iudicious, obſerues that though ſome darke cloude had ouercaſt a portion of the beames Imperiall in the higheſt ſphere, yet till this time of the tranſlation of the Seate to *Conſtantinople*, and a good ſpace after, many tokens both of humble reuerence, and reſpectiue regard to the Ciuill ſtate, were euident. For the *Popes* without admittance either of the Emperors themſelues, or of their Lieutenants called *Exarches*, aſcend not to the throne. The *Popes* in all their graunts and publique

lique diſpatches, ſet downe the date by theſe wordes, *Regnante domino noſtro*, ſuch or ſuch an Emperor. Though by variation of times (which bredes a change in all bodies, ſtates or gouernements beneath the Moone) this good maner began to bee firſt abated, and in time determined. After this vnlucky ſeparation of the Greeke head from the Latine body, firſt, it fell into a kinde of giddineſſe: after, into imbecillitie, the cauſe of dangerous conuulſions in thoſe eſtates, and like top branches that are not duely fedde and nouriſhed with the liuely ſappe of their owne natiue roote, they fell afterward to warpe and wither both in beauty and glory. The Princes grew dayly more and more into contempt, either out of want of deſire, or ability, or both, to defend *caput Imperij* from incurſions of infidels, oppreſſions of vſurpers, and attempts of conſpirators. Then fell the *Grandes* of *Italy*, to renounce all duetie, contributions, or relieſes to the farre diſtant parallel: from which as from a gulfe they found no refluxe. They drew backe obedience from Lieutenant gouernours, who gaſping (almoſt at the very laſt poynt) for breath, could light vpon no true cordiall to comfort them, poſtes could not plye ſo faſt betweene *Rome* and *Conſtantinople*, as occaſion of ſtate did vrge; and beſide, which is the moſt deſperate effect of a declining fortune, meſſengers were employed oftentimes with interceſsion, but returned euer without remedie; diſputations were lame, expectations idle, affections, mutinous. And

And though I finde by the beſt writers, that during this time of ſtaggering, ſo long as any ſparke of hope could liue, either of ſecure defence, or timely and ſufficient ſupplies, the Biſhops endeuoured their beſt to preſerue the life of loyaltie in the breaſt of feare: Yet at the laſt the Ciuill ſtate declining, the Church fainting, and all hope languiſhing, when both Peeres and Biſhops waſted like Images of waxe *à petit feu*, felt the fury aſwell of the domeſtical, as the forraine ſword, and waxed weary of the fruitleſſe comforts that were ſent out of the Eaſt; they reſolued ioyntly to call in their next neighbours the French for protection, who were able to defend them with a ſtronger arme, a quicker diſpatch, and a better purſe then this ſuncke eſtate ſurrounded with an Ocean of incurable extremities. That there wanted in the *Pope* both then and euer ſince, affection, inuention, or expedition, to raiſe *Rome* once againe, though in another element, *ex Albæ ruinis*, to draw their generation of greatneſſe, out of the corruption of power, and to make their beſt aduantage of their errours that were wont to giue them a commanding checke, they may beleeue that find no grounds of iudgement of experience and trueth to conceiue otherwiſe. For being put into poſſeſſion, by this long deſired and lately planted Emperour, of a ſatisfaction both for profite and for power proportionable to the paines which they had taken, *Cum ſudore vultus & tremore cordis*, about the new eſtabliſhment, they found other

other meanes to multiply their ſtrength and credite euery day, by taking ſure hold of opportunitie, which being loſt with idleneſſe, returnes no more to expectation. They began then to eſtabliſh their eſtates in that height of ſecuritie, from the frownes of predominant commands, which many of their predeceſſors had eagerly apprehended, *Tanquam ſpado mulierem amplexans, & ſuſpirans* (as the Prophet ſpeakes ſignificantly in another point) but yet failed of the finall ſcope and reward of their induſtry.

The ſtrongeſt adamant that drew reuerence and loue to the Church of *Rome* in the firſt ſpring of Religion, was the conſtancie of ſo many godly Biſhops, as with the ſtreames of their blood watered the plants of their profeſsion, deſiring rather to die with honour, then to deny with infamie. Beſide, it is certaine, that during the ſhort time of their ſitting in that Seat, their chiefeſt end was to binde Subiects to Superiors with ſo great obedience, & Superiors to Subiects with ſo great conſcience, as thoſe men were eſteemed both moſt godly and moſt happy, that were either inſpired with their pietie, or grounded vpon their principles. *S. Peters* Gally might very well hold on a conſtant and happy courſe for a while after the maine ſtroke of oares did ceaſe, that was ſet out at the firſt with the force and induſtry of ſo many worthy Mariners, as made for no other port then heauen: which obſeruation cannot bee thought ſtrange, by men that vnderſtand how

hard

hard or almoſt vnpoſsible it is for one Prince that is humorous, ſucceeding many that were godly and Iudicious, to worke vpon the ſuddaine any dangerous effect, by countermotion or oppoſition to the ſpheares of the former gouernment.

For to the raiſing of this height vpon the foundation of Religion and Integritie, ſome brought ſtone, ſome timber, ſome lime, ſome ſand, and ſome gaue their owne labour and direction *gratis*: euery one affording ſupplies and helpes according to the meaſure of their ſtrength, or the proportion of his abilitie. But after that the Biſhops began to finde the ſtrength of their owne Eſtates by remoues of Emperours, and that in ſtead of little eaſe, they got elbow roome; it was a meane to make them ſtretch their armes, and extend their forces into Elements, which like *Terra incognita*, were before vnknowen to them.

Some of the moſt artificially and refinedly ambitious; finding by the *Romane* hiſtories (as it is probable) that *Cæſar* was neuer abſolute in power, *Priuſquam poteſtatem pontificiam cum Cæſarea potentia coniunxiſſet*, hold it as ſound a courſe for them, ſeeking the like in another climate, *Cæſaream cum pontificia coniungere*, making no doubt but as in *Abſtracto* they had bene regarded with reuerence: ſo in *Concreto*, they might bee feared with obſeruation. The neceſsitie which inforced all *Italians* after the departure of *Charlemaine*, to rely vpon the *Popes* ayd for common defence: the bond of conſcience, which moued the greater

teſt part of the world in thoſe dayes, to reſort to *Rome*, either for ſatisfaction to ſoules, or for preſeruation of vnitie: the confidence of Emperours and Kings in compromitting cauſes of vnkindeneſſe or diſſention to ſuch a Biſhop, as profeſsing like a father equall affection and tenderneſſe, was not ſuſpected of halting on either ſide: the ſtrife and emulation of mighty Potentates to aſſure themſelues of the loue and friendſhip of that party, whom the greater nũber regarded as a Iudge, and few or none for many yeeres ſuſpected as an oppoſite: the feare and perill into which ſome Emperors were drawen of hazarding their owne fortunes, by diſputing his prerogatiue: the cõtribution of all ſtates, qualities and degrees of Chriſtians (according to the cuſtome and maner of thoſe times) to the maintenance of *S. Peters* ſucceſſor: the ſecret intereſt which the *Pope* had in many kingdomes, by the merite of his predeceſſors, that did firſt ſend learned paſtors and doctors to preach vnto them redemption by *Chriſt* crucified: the exerciſe of *S. Peters* keyes, by binding and looſing ſinnes in a kinde of excellencie, and ſupereminencie aboue other Biſhops in all parts of Chriſtendome: the conceit which was holden of a Biſhops conſcience, whom the Canons will not ſuffer to bee *Solicitus de hijs quæ ſunt mundi*, in comparíſon of any Secular authority, whoſe onely obiect is the ſcale of Longitude and Latitude: the danger of offending one, whom the greateſt part endeuoured with ſtudious af-

fections to pleaſe: the ſubtile vnion of *S. Peters* keyes with *S. Pauls* ſword, to this end, that while the one did open locks, the other (like that of *Nehemias*) might cut off impediments: The great reuenue and demaine, which was annexed to *S. Peters* chaire, firſt by the Charter of *Charlemaine*, and then by the great Counteſſe *Mawdes* Legacy: The *Popes* arte in contriuing the maner of the choiſe of Emperours by the Coruefters of *Germany*, rather then by occaſion of making their returnes to *Rome*, their teeth might bee ſet on edge with a freſh appetite, to taſte of the forbidden fruite which growes in *Horti medio*, and thereby compaſsing the tree of the knowledge of Good & Euill, couered with the leaues of limitation for ſo many yeres, to make their eſtates once againe abſolute: The *Popes* caution in reſeruing to himſelfe, as it were *in depoſito*. a ſpeciall intereſt (only for pretence) of crowning and confirming Emperours at *Rome*, euen after they haue bene elected and crowned in *Germany*, though when they ſought it, they did ſeldome compaſſe it: The *Popes* eye to the reteyning of thoſe rights and royalties in the Princes Electors handes, which were morgaged by precedent Emperors, leaſt the brooſed feathers of the Eagle, imped once with theſe hard quils, might againe bee able to cary her vp to the ſpire of the Capitoll: The long laſting, and ſtrongly working faction in *Italy* of the *Guelphes* and *Gibellines*, Imperiall and Pontificall: The faſt league betweene the *Pope* and the French

French Kings, euer labouring to maintaine the ſtrength of the Holy armes, againſt al violent and ſturdy ſtormes, as a plant of his owne policie: The rule which hath bene euer prouidently obſerued and kept by the *Popes*, in eſchewing quarell or contention with any powerfull Prince in *Europe*, before he make himſelfe ſure of a party oppoſite in the ſame degree, and likely ſo farre as the wit or ayme of any mortall creature is able to extend to make the match too hard for him: The ſure hold which the *Pope* hath of the hearts and ſeruices of all the Cleargies, in as many kingdomes as are Romanly Catholique, by exerciſing the intereſt either of inueſting or confirming *Metropolitanes*, that haue the higheſt charge in the Church, and draw the conſciences and deuotions of Lay ſoules after them, by direct dependencie: The *Popes* cuſtome of ſorting Cardinals and officers for the Church out of ſuch powerful and worthy families, as may make both them and all their allies and friends to bee in their deuotion and gratitude more faſt to them: The reſeruation of certaine caſes, wherein the *Pope* onely will giue himſelfe Commiſsion of *Oyer* and *Terminer*, thereby preſsing the greateſt bell-weathers of the flocke without an expreſſe relaxation, *ab ipſo ore Apoſtolico* to appeare perſonally: The deuice of ſending Princes to the Holy land, ſo ſoone as euer they began either to picke quarrels with the Church of *Rome*, or might be made by their abſence of better vſe to it: The locall interdictions

of Prieſts by warrant from the *Pope*, to celebrate for the ſatisfaction of ſoules which (ſo farre as I haue read) was firſt ſet on broach among our Engliſh Biſhops by *Alexander* the third, about the yeere 1170. but not very luckely to thoſe that by obſeruing them with a ſtrickter kinde of obedience and awe, then the Lawes of the Realme would admit, were in great perill of their owne poſſeſsions, with loſſe of Liberties.

Laſt of all, the garriſons and forts which haue bene erected and mainteined in defence of *S. Peters* patrimony, were high ſteps to cary and conuey the *Pope* to that height of cruſhing Princes in their owne Element, which many quarrell, ſome tollerate; but in very trueth (if the caſe come once to be their owne) none fauour. So long (ſaith a graue and learned writer and a *Romane* Catholicke) as the *Popes* attended thoſe charges onely that concerned the ſoule, their chiefeſt care, deſire & ſtudy was to be protected vnder the wings of the Secular eſtate: But the ſtate of the Emperors declining faſter then they roſe, the *Popes* beganne to neglect both their armes and amitie; then fell they to defend by writing and diſcourſe, that it belonged rather to the Church to giue Lawes to the Empire, then to receiue from the Emperour; preſsing forward ſtill without looking backe, for feare perhaps of being tranſformed with the wife of *Lot*, *In ſtatuam ſalis*, and abhorring nothing more then the very ſound of a *Remitter* to the creeping ſtate of their firſt ſimplicitie,

citie, they wreſted cenſures of the Church, either to the paſsions of humor, or proportion of ſtate: They ſtudied more induſtriouſly the wayes of making warres and heaping treaſure, then of ſteering *Peters* Ship, or inſtructing ſoules: They ſought more ſlyly then ſincerely to make their Conſiſtory ſtrong by the ſupport of tyrants and vſurpers, which hauing caſt off *Cæſars* yoke with contempt of diſarmed oſtentation, found no meane ſo proper as the countenance of the Church of *Rome*, for their eſtabliſhment both in dignitie and ſecuritie. For proofe whereof, I wiſh it may be tried by inquiſition, whether *Robert Guiſcard* hauing filched *Puglia* from the ſacred Empire, that is a faire feather from a feeble bird, ſought not after that to hold it of the *Pope* in fee: And whether *Roger* King of *Sicily* in the yeere 1130. poſſeſſed not himſelfe of that kingdome by ſuch a tricke of *legier du maine* (for all was fiſh that came to *Peters* net about that time) and many his ſucceſſors in that corruption both of conſcience and conuerſation, became now rather *Piſcatores Imperiorum quàm hominum*; Though the cenſure of *S. Paul* extended onely *ad interitum carnis*, but not *poſteritatis vel diadematis*.

After this ſome of them mounted to that point of challenge, as they were not aſhamed to take vpon them the prerogatiue of depoſing Emperors. For *Boniface* the 8. after hee had preſented himſelfe (as the *Germane* Catholiques report) to the eye of the world in his habite meerely Secu-

lar, that is, with a Crowne on his head, a ſword girt by his ſide, and with profeſsion that hee was aſwell a *Cæſar* as a *Pope*, at the next leape gaue a greater ſtraine, clayming precedencie of *Philip* the French King, *Tam in Spiritualibus, quàm in Temporalibus*; though ſome of the moſt learned among the Scholemen oppoſe abſolutely to this *Paradox*; and may as fitly wonder at this armed *Pope*, as the Prior of *Dureſme* did of his Earled Biſhop, *O quàm manifeſtè iam exorbitat noſter Epiſcopus tranſformatus à veſtigijs Sancti Cuthberti. Vrbane* withdrew not onely the perſons, but *bona* the goods of the Cleargie from the trials of Ciuil Courts. In caſe of Treaſon the *Popes* would oftentimes haue exempted Biſhops from the Barre, though Princes abſolute would neuer yeeld to this demaund as a right by acknowledgement: howſoeuer at the *Popes* requeſt, ſome of them haue bene pleaſed to remit wrongs out of Indulgencie. Let *Platina* giue euidence concerning ſtrange deuiſes vented, and plots vndertaken, to bring all the Princes of the world to hold their Crownes *Ad placitum*, and in effect at the will of *Peters* Succeſſor. Some being called in queſtion for perſonall tranſgreſſions: ſome for idle words: ſome for taking part with Princes whom *Popes* hated: ſome for refuſing to participate in Actions which the *Pope* fauoured: ſome that the *Pope* might preferre his owne friends to their ſeates: ſome for ſtanding ſtiffely againſt humors out of ſuſpition: ſome to make the *Pope* himſelfe more ſtrong: ſometime

to

to make his enemies more weake. And ſure I am by confeſsion of thoſe that in Religion were euer conſonant to the *Romane* Canons, that after once that rule of *Gregory* was riueted into the conſcience of Chriſtians (which in thoſe dayes were more fearefull to offend, then ſtudious to learne) *Sententiam Iudicis quamuis iniuſtam timendam eſſe*: that the ſentence of a Iudge is to bee feared, though vniuſt: howſoeuer all the Lawes of *Europe* in this caſe by the grounds of nature grant appeales, what quarrel ſoeuer it pleaſed the *Pope* out of diſpleaſure, iuſt or vniuſt, to pretend himſelfe being euer (for the moſt part) both Iudge and party, that muſt be ſatisfied to the full, though it coſt an Emperour his Crowne.

And becauſe *Homo ſpiritualis iudicatur à nemine*, ſome of the Canoniſts proceeded ſo farre in flattery after theſe encouragements, as to exempt the *Popes* cenſure from examination, though they carrie with them heapes of ſoules to hell: which though the wiſer and the better ſort reiect, as a doctrine fitter for the ſchoole of *Mahomet* then a ſcholler of the Church; yet will it be euer reckoned and reputed probably as wel *error prædicationis*, as *conuerſationis*, ſo long as it ſhall paſſe the print without reproofe; and to vſe the phraſe of S. *Hierome* vpon like occaſions *priuſquam Aſteriſco iuguletur*. *Emmanuel* the Greeke Emperour craueing earneſtly of *Alexander* the third, that both Empires of the Eaſt and Weſt might be reunited for a greater ſtrength and a more aſſured ſupport

againſt

against the enemies of the faith; his answere was, *Se nolle id vnire quod maiores sui de industria disiunxissent*, that hee would not vnite that which his predecessors had of set purpose seuered, though in very truth it may be prooued a worse part in those that laid their heads, and set their hands together, being as they were, but men *ad illud separandum quod Deus coniunxit*, to make a separation in that which God had conioyned and fastened. Though *Alexander* the *Pope* had modestly forborne to answere the request of *Emmanuel* in so plaine language, as might moue the world to say to him, as the mayd did to S. *Peter* in the pallace of the high Priest, *Verè tu ex illis es, nam et loquela tua te manifestum facit:* yet by the course which this *Popes* predecessors tooke in planting *Sedem Imperij* the seate of the Empire rather among the *Germanes*, where by larger distance he might lesse offend, then in *Romana Metropoli*, then in *Rome* it selfe, where he might eclipse the glory of the *Pope*, wee might easily haue apprehended both what was the obiect, and where would bee the ende of that policie. Hereunto I adde an Indenture made by another of that ranke, with *Charles* Duke of *Anion* before his establishment in the kingdome of *Sicilie*, That neither hee during his owne time, nor any of his heires and successors after him, should accept of any offer which the *Germane* Princes might be drawen to make to him of the Empire; much lesse that he or they should hunt after it; his feare was (after an experiment)

riment) by the long buſteling betweene the *Pope* and *Frederike*, (who was by right both Emperor and king of *Sicilie*) that the vicinitie and neighborhood of ſo great a State as that Kingdome to *Rome*, in caſe it fell into the hand of an euil neighbour, (with the leaſt colour or aduantage of a title) might ſtirre vp eaſily in the diſpoſition of a Prince that were couragious, an earneſt deſire of a diſcontinued eſtate: becauſe howſoeuer queſtions bee ouer-ruled among priuate perſons vpon the ground of preſcription in point of Law, yet where the ſword muſt flouriſh for the maſters priſe, *præſcriptio nulla, quantumuis diuturni temporis, occurrit Cæſari.* I neede not at this preſent to name that prouident and diſcreete *Cardinal*, who in one of the late conclaues, put in a timely Caution to the reſt of his fellowes at the choiſe of a *Pope*, to beware of too ſeruile a regard of the partialities and paſsions of potent Princes, that *Sede vacante* recommended their chiefeſt fauourites to *S. Peters* chaire, to no other ende, then that they might againe by quinteſſence of craft, reduce the moderne Maieſtie of the Church of *Rome* to that bare *Ius patronatus*, wherein it ſtoode during the reignes of domineering Emperours, and while they were able, to free themſelues of that ſeruile yoke, which by the loſſe of many liues, by the waſte of great Treaſure, and the higheſt improuement of their predeceſſours Arte, (that ſet their owne liues light in reſpect of the Churches libertie,) was caſt off. Theſe are the ſteps by which

ſo farre as I can gather, either by obſeruing the current of time, the reportes of Hiſtories, or the deepe impreſsions of experience, the *Popes* haue aſcended ſometime warily, ſometime confidently, but almoſt euer (after the tranſlation of the Empire into the Eaſt) powerfully to this height of prerogatiue, which haue made them ſufficiently ſtrong, as it is ſaid of *Dauid* in the ſcripture, *Cum leonibus tanquam cum agnis ludere*, and to tread vpon the *Aſpe* and the *Baſiliske*.

What *Soto*, *Silueſter*, *Symanca*, *Nauarre* or *Bellarmine* either thinke or publiſh in their *chimicall* diſtinctions of *directè* and *indirectè*, *propriè* and *impropriè*, *ſimpliciter* and *ſecundùm quid*, *abſolutè* and *tantummodo in ordine ad ſpiritualia*, becauſe in this point they doe meerely tranſgreſſe *mandata Dei propter traditionem ſuam*, leaping like ſheepe that are frighted with their owne ſhadow, ouer hedges one in the necke of another, without forethinking of the ditch on the other ſide, vouching no one title rightly to this purpoſe out of the Word of God, regarding nothing that is ancient, nor adding any reaſon of importance that is new: fill the Schooles with clamors, the Church with errors, and all Chriſtian eſtates with tragedies. In diſproofe of theſe diſtinctions, which are only circles and ſharpe angles of Scholaſticall conceipts; beſide the grounds of ſober iudgement formerly ſet downe, I will produce a learned Iurie of thoſe Biſhops whom theſe Schoolemen repute firmely and completely Catholike: (whom they

they emblaſon by deſcent of pedegree the onely true and lawfull heires of *Chriſt*, and whom they reuerence as his Apoſtles ſucceſſors,) that did abſolutely refuſe in the moſt ſeruile times to ſubſcribe the *Popes* priuatiue and peremptorie cenſures againſt their owne Soueraignes. They did obſerue their oathes of Loyaltie, out of the bond of Conſcience, without regard of Canonical abſolution, & neuer ſhrunke vpon threats or terrors that thundred at *Rome*, from the poſitiue Lawes and dueties of their owne Countreys. They were not ignorant that the high Prieſt in the Law was *circundatus infirmitate*, and bound by the Law to offer ſacrifice aſwell for his owne priuate ſinnes, as for the ſinnes of the multitude. They had read that S. *Peter* the firſt founder of the Church of *Rome*, was called *Sathan* for giuing counſell (that was not ſound) to our Sauiour after the beſtowing of thoſe titles of prerogatiue which many vrge. They finde him pinched not behinde his backe, but reproued to his face by S. *Paul*, for that he did not holde a ſtreight courſe for the propagation of the faith. They learned of an Apoſtle, ſo farre only to follow others, as they were found to follow *Chriſt*. They heard that many *Popes* had reuoked their firſt cenſures vpon better information: that *Alexander* the third gaue free libertie to the Archbiſhop of *Rauenna* of abſtinence from ſatisfaction to his owne directions, ſo as withall he gaue the reaſon which moued him to abſtein; And that *Adrian* himſelfe enforceth not obedi-

ence *manente dubio*, so long as the point was in question, or trauersed. They were greatly mooued with the presedents of those religious and faithfull auditors at *Thessalonica*, that examined the passages of holy writ alledged by S. *Paul*, for the better triall of the doctrine *an ita se haberent*, whether they were vouched in a right and proper sence or no. Last of all, because they found the priuiledge of not erring in the *Pope* to be limitted by the schoolemen themselues, to matter of faith, not of policie, and to be rather cathedrall then personall, It was a course familiar and vsuall among many graue Bishops of that age, to examine Papall censures aswell by the standard of Gods word, as by the weights of the Consistory, and so farre onely to giue way to infurgent iurisdiction, as it might not at the issue of their liues vnhappily fall out to them *in singultum cordis*, that they had run counter. If they haue either cause or colour to challenge any one or more of this Iurie that is empanelled *ex hominibus legalibus* for triall of this point in question, as preiudiciall eyther to the cause, or to the Church, I will vndertake to set him *rectum* vpright *in ipsa Curia Romana* by the warrant of their owne Recordes, though that bee greater paine then I neede against any of the Schoolemen, that mould dayly new distinctions out of the quintessence of their owne conceited and selfe-pleasing wittes, without the right stampe of Antiquitie.

I haue touched by discourse precedent, how farre

farre *Philip* the French king, ſurnamed for his perſonage *le bran*, was ſecured by the whole Clergie of his Realme, ſo farre as concerned the bond of their Allegiance and Loyaltie *non obſtante* the raſh proceeding and peremptory cenſures of *Pope Boniface*. To this I adde the anſwere which was made by *Hincmar* Archbiſhop of *Rhemes* to *Pope Adrian*, (forbidding him vnder paine of cenſure to yeeld either reuerence or ſeruice to the King, as to his lawfull Soueraigne) That perſons of all qualities aſwell Eccleſiaſticall as Secular within the Realme of France (aſſembled vpon the publication of the Popes cenſure) had ſet downe this concluſion with a kind of aſtoniſhment, *nunquam vlli prædeceſſorum ſuorum*, that no ſuch iniunction was euer ſent to any of their predeceſſors before that time. A ſtrong euidence in my conceit, aſwell of noueltie, as of iniurie.

By another graue report touching the kingdome of *Sicily*, I finde in an Epiſtle of the Archbiſhops of *Panormum*, how ſtrange the Biſhops of that ſtate held an oath of obedience to the Sea of *Rome*, tendered by the *Popes Nuntio* to one of them at the receiuing of the *Palle*, and with this ſtrong exception, *Non inueniri de huiuſmodi iuramento ſtatuta in Concilijs*, That in the Councels no Canon could be found, whereby to preſſe the taking of ſuch an oath by an Archbiſhop. Yet can I not deny, that *Sicily* did more depend vpon the directions of the *Pope*, by the condition of ſome former contract betweene that kingdome & the Church

of *Rome*, then many other Prouinces.

When *Gregory* the fourth had a purpoſe in his head peremptorily to proceed againſt *Lewes le debonaire*, the French Biſhops in flat termes anſwered, *Se nolle &c.* that they would not ſubmit their iudgements to that offer; but the ground thereof being both weake and vniuſt, he ſhould well know, that *Si excommunicaturus veniret excommunicatus diſcederet*: if he came with a purpoſe to excommunicate, he ſhould depart excommunicated. Adde vnto this out of a French record, an inſtance of one *Iohn Tanquerell* condemned by the diuines of *Paris*, for labouring to defend that the *Pope* in ſome caſes might depoſe the King. So ſtrange was the doctrine of depoſing Princes, and tranſpoſing Crownes, eſteemed euer in thoſe very times which are thought to carry the ſtrongeſt tincture of affection, which many call ſeruitude. But if hereſie & infidelitie were the proper cauſes, as they are made the ordinary motiues of theſe braue attempting and vndertaking cenſures againſt crowned Potentates, there might be ſome better colour of excuſe, though no better ground of iuſtification (becauſe neither we haue any ſuch cuſtome, nor the Church of God:) But we know that prerogatiue is the *Magna Charta* which they ſtudy that purſue this point; And let the Prince (againſt whō the *Pope* entends or pretends a quarel) be as Catholique in all points of profeſsion as the *Pope* himſelfe, yet he cannot ſaue his ſtake in ſeeking to ſaue his ſoule: for the challenge being once

once on foote, vntill the ſuppoſition be acknowledged, the cenſure qualified, or the *Pope* ſatiſfied, there ſhall be no other ground nor obiect of the proceſſe, then hereſie. This moued many Biſhops (notwithſtanding their obedience to the high Prieſt) yet to examine the condition, and whether the direction were *ab initio ſecundum legem Dei* as *Moyſes* limitted. The beſt learned among the Schoolemen make not obedience eyther an abſtract in the cloudes, or an *individuum vagum*, or (as ſome doe the prerogatiue of Princes) a *Nemo ſcit*, but they conceiue it as a ductie ranged by preſcription *ad leges Euangelicas*.

Vpon this ground of reaſon, equitie and conſcience, *Gerbertus* Archb. of *Rhemes* was drawen to an abſolute renunciation of any graunt that can be made to any mortall man in particular, of ſo large capacitie, *vt quicquid libet liceat*, leſt that perſon being foreſtalled, corrupted, or ſeduced by feare, gaine, or ignorance, might put all courſes out of frame; with this further aduice, that in limitation of power, the holy Goſpels, the Prophets & Apoſtles, and the Canons of the Church endighted by Gods Spirit, and obſerued in all ages by thoſe Paſtors whom the holy Ghoſt appoynted to direct and gouerne the Church of God, might bee *Lex communis Eccleſiæ Catholicæ*. This rule giues a round *ſuperſedeas* to M. *Garnet*, and his ſchoolemaſters; And further we finde *Iuo* the learned Biſhop of *Chartres* ſo far a friend (how hardly ſoeuer the French King dealt with him in reſpect

reſpect of his abſence from that conuention, wherein the *Popes* proceedings against the King were ſharpely cenſured by all the States) as to denie the ſubiection or ſubordination of a King to any ſuperior in his Temporall eſtate. And though the King ſhould refuſe out of contumacy to giue eare to the counſell of the godly Biſhops, (which was the caſe as he conceiued at that time, being infinitely addicted to the *Pope*) *Diuino tamen iudicio relinquendum eſſe*, yet he muſt be left onely to the Diuine chaſtiſement. And as *Bracton* ſaith, *Sufficit ei ad pœnam quòd Deum expectat vltorem.* How confidently, & how often the *Synodes*, *Parliaments*, and Schooles of *France* haue run vpon the pikes of Papall cenſures, in defence of the Kings eſtate *paramounte*, ſometime by their Decrees prouinciall, ſometime by their ſanctions pragmaticall, and ſometime by prohibitions, which cut the ſinewes of all ſuperlatiue commaunds with ſo ſharpe an edge, as after that, they were neuer able either to march or moue, I need not amplifie, but onely point with my finger to the Coronation of the King now regnant at his firſt entrance, by Biſhops, *Romane* Catholikes, (without either awe of ſuperior, or feare of Cenſure, or conceit of irregularitie,) while he ſtood within the danger of the curſe; and conclude this point with one example very pregnant, as I imagine, of S. *Lewes*, inſerted by the *Pope* himſelfe into the liſte of holy Confeſſors and Saints in the *Romane Calender*; notwithſtanding his ſeuere decree,

cree, that no kinde of Leuies or taxations should be made in *Fraunce* by the *Popes* instruments, without the knowledge of his priuie Counsell or himselfe; nor then also, but in cases of euident necessitie.

But now lest M. *Garnet* or his complices should except against the state of *France*, as ouer-tickle in the seate of satisfaction, when the scope of the Church is gaine: though wee must adde some greater weight of credite to these courses, in respect the Bishops were both *Orthodoxall* and *Canonicall* that assented to their publication with the other Peeres; I will prooue further, that in tenderneſse of care to preserue the prerogatiue of *Monarchie* within the bounds and limittes of it selfe, the Kings of *England* haue neither bin inferiour, nor least sensitiue. May it therfore please M. *Garnet*, and so many other of that suite as hold the Subiect bound to follow whatsoeuer is decreed at *Rome* vpon supposition of heresie, or suggested shewes of infidelitie against their Soueraigne, to take notice of the Titles, Names, and iudgements of these persons which I shall present to their consideration; not from the *Presbyteries*, which may distaste their relish, but out of the list of English Authors, limmed among *Catholikes* with golden Characters.

I will begin with the first of our Kings *post Conquestum*; and proceede to others as they fall into the circle of exception in their courses, and proceedings orderly. *Quid Papa cum Imperij vel regni*

libertate? What hath the *Pope* to doe with the li-
Wil. Conq. bertie of an Empire or Kingdome (ſaith *William* the Conqueror) to whom it rather belongeth to take care of ſoules, and of the Churches ſecurity? Afterwards, in that quicke contention that fell
William 2. out betweene *William* the ſecond, and *Anſelme* the Archbiſhop about the *Pope*, (though I will neither auow this King to haue bin an holy Confeſſor, nor all his expoſtulations to haue bene regular demaunds) yet they muſt giue me leaue to note with what affection and reſolution, notwithſtanding the *Popes* inter-comming to make himſelfe a partie in the quarrell, the Biſhops did adhere to their owne Soueraigne. *Notum habeat*
Henry 1. *ſanctitas veſtra*, Your Holineſſe, ſaith *Henry* the firſt, muſt vnderſtand, that by Gods help the dignities and liberties of this Kingdome ſhal receiue no wipe of abatement during my reigne: For though I had an humour of embaſing my ſelfe ſo much, as to ſhrinke vpon ſo ſure a ground; *tamen optimates mei, imò totius Angliæ populi id nullo modo paterentur*: yet my Peeres, nay, all the Commons of my Realme would neuer ſuffer it. And after this, the Biſhop of *Exceſter* ſent to *Rome*, receiued a very gracious and milde anſwere of the *Pope*, touching the Kingdomes liberties. *Henry* the ſe-
Henry 2. cond would admit no Legat from thence, nor repaire of any his Subiects to that Sea, before they gaue ſecurity *quòd malum ſuum vel regno ſuo non quærerent.*

The Suffragan of *Canterbury* in very modeſt and

and humble manner aduiſed *Thomas* his Archbiſhop rather to appeaſe the Kings wrath by a ſubmiſsiue Letter, which had euer bin the courſe of proceedings among the Paſtors primatiue, then by heaping coales to inflame his paſsions, in ſo violent and deſperate a kinde, as might perhaps cauſe a reuolt from the *Romane hierarchie*.

Neubrigenſis another Countrey man of ours, compares the Archbiſhops oppoſition at that time to the King, to S. *Peters* zeale, in the queſtion betweene him and S. *Paul*. For though no man denies, ſaith he, that the Archbiſhop in his particular was *zelo feruidus*; yet *an plenè et ſecundùm iuſtitiam, Deus nouit*, whether ſufficiently, and according to the right, God knoweth, ſince it is written in the Prouerbes, That *prudens in tempore tacebit, quia tempus malum*, A wiſe man will hold his peace in time, becauſe the time is euill, as he thought that to be. The ſpeach is modeſt, and yet declares that euen in thoſe times men that were voyde of paſsion, though of one and the ſame profeſsion, comming to ſcanne the point of conſcience, iudged indifferently, without either ſmart to the Subiect, or wrong to the Soueraigne: which makes me the more to praiſe the wiſdome of that Canon of the Church, which (with great reaſon) diſſwades ouer tough ſearching of ſoares deepely feſtered, or ouer quickly proceeding in a time when Cenſures are ſet light; for experience hath taught, that this were but to caſt pearles before ſwine, & to giue that which is *Sanctũ, canibus*.

Iohn. The whole reigne of King *Iohn*, being in effect nothing but a Tragedie acted in the eye, and to the ſcorne of *England* ouer all the world, betweene the *Pope* and him, our Biſhops ſkirmiſhing ſometimes (out of conſcience) on the kings ſide againſt the *Pope* in this fraction of the politike Eſtate, and ſometimes (out of faction) on the *Popes* ſide againſt the King: Yet the greateſt part of them at *Windſore* as one of our Authors writes, *Non obſtante ſententia qua Rex erat innodatus*, did communicate and religiouſly receiue with him.

Henry 3. *Henry* the third ſuſpecting ſome hard meaſure (as it ſeemes vpon the ſmart and horror of examples paſt) exacted a formall oath of his Biſhops that repaired to the Councel of *Lions* before their ſetting forth, That they ſhould aſſent to nothing there debated, or to bee decreed to his or his Crownes preiudice. At the ſame Councell the King complained (not by the vertue of his Letters, but by the voyce of his Biſhops) of a wrongfull claime pretended by the *Pope* of an Impoſition, vnder the maske and colour of *Epiſcopall* aſſent: which in the behalfe of all the reſt, was roundly contradicted by the *Metropolitane*. Vpon notice taken of this complaynt, the *Pope* alluding to the ſpleene of *Fredericke* the Emperor againſt his predeceſſour, ſayd that the King of *England* began to *Frederize*; but it skills not much ſayd he: for, *habet Rex Angliæ ſuum conſilium, et ego meum*: as he might very well, & yet be no gainer.

Edward 1. *Edward* the firſt ſent Sir *Iohn Lexinton* to all the Biſhops

Bishops as they were assembled in the house of Conuocation, with an expresse *caueat*, That they should in no wayes yeeld to the *Popes* earnest instance for satisfaction in a demaund: to which prohibition, as my Author writes, *et ipsi parauerunt*, they obeyed accordingly.

Edward the second stood resolutely vpon the maintenance of his gift of the Treasourership of *Yorke* against the *Popes* Breues, striuing forceably by the colour of a former graunt, to preferre a nephew of his owne; And vpon what ground? Because (saith the King) the Peeres of this kingdome are bound by their oath of homage, to maintaine the rights and liberties of this State, whereof collation of dignities hath euer been reputed a speciall branch, and therefore cannot *Salua conscientia*, admit or endure the least blemish of an inuested honour. For if it were not lawfull for the Bishops of those ages, as appeares by Record *Feodum Laicum Romanæ ecclesiæ obligare*, to tye a Lay-fee vpon the Church of *Rome*; how much lesse is it reasonable, lawfull or conuenient at this day, to engage either the Princes right, or the Subiects loyaltie? Edward 2.

To these I adde a very earnest letter written to the *Pope* by the same Prince, in such a stile, and with incke tempered with so sharpe ingredients, as *Ex vnguibus Leonem*: for he doth there protest, and that with some feruencie, *Se iuri regni sui contra Papam, & omnes defensurum*: that he would defend the right and title of his Crowne, against all per-

sons whatsoeuer, without distinction or diuersitie. I note by this occasion the temperance of the *Pope* at that time, who neither replies with passion, nor thunders in heate. For though it be true that *England* by position and site hath a great aduantage of many other States and kingdomes of *Europe*, that are neither so well fenced, nor so compleatly compassed by sea, purposing to stand resolutely in defence of it selfe, though the cause were good, and the Prince martiall; yet it appeares, that the *Pope* for his part also was more patient then some of his successors (impeached by more difficulties and stronger impediments) haue bene since that time; Or els considering the claime which he pretended to collations and inuestitures in many other Estates, where he found Princes more afraid, hee might at the least haue made an offer (though to small effect) of his virulent exceptions, which being vsed without discretion, are indeed but the vessels of an vndiscreet Pastor, to take the words of *Zachary*.

Neither Law nor Nature doe allow to any Agent, *Potestatem operandi*, for the maintenance of it selfe, *Sine preparatione mediorum*, without the preparation of meanes proportionable to that faculty which it affords: and therefore in this case we must inferre, That either the *Pope* wanted passion or power, or instruments to further his ends (according to the scope of his desire) powerfully.

Edward 3. The Abbot of *Tauestocke* was fined at 500. marks for receiuing a Bull from *Rome*, wherein there

were

were but *Aliqua verba Regi, & corona ſuæ præiudicialia.* The whole Court of Parliament wherein Rich. 2.
the party of the Biſhops and Abbots among the Lay-peeres (for the number was not weake) gaue their promiſe to King *Richard* the ſecond, with proteſtation to defend his regall rights and Immunities againſt all oppoſition, though it were made by the *Pope* himſelfe. And here withall I note the reaſon in the Record, ſutable to the reſolution (which was ſpoken of before,) Leaſt the Crowne of *England*, which had bene euer free from the reſtraint of any Superiour command, might on a ſudden ſlip vnawares into the ſnare of ſeruitude; And therefore the maine Article in Henry 4.
Parliament inforced for the deprriuation of *Richard* the ſecond, was, That he had by admitting Bulls from *Rome*, inthralled the Crowne of *England*, which was free from the *Pope* and all other forraine power.

The *Popes* ignorance in the ſtate of Engliſh affaires, was the motiue by which the wiſdome of the State was drawen during the raigne of the ſame Prince and al that ſucceeded, to condemne, diſable and reiect all Bulls or Breues of direction from *Rome*, that ſtood vpon no warrant of certificate from ſome Biſhop in the land to guide his ayme; and thoſe Biſhops, (as wee finde by the reports of Hiſtory and Record) were euer the worſe eſteemed, and the leſſe regarded by their owne Prince and Countrey, that poſted ouer to ſeeke forraine ayd, when they might haue found

greater

greater ease, by resorting to their home bred oracles, and *non ad transmarina iudicia*, which they ought to do by the councel of *Carthage*.

They that desire to be more particularly enformed of the prosperous successe of some Bishops, that were forward in execution of the *Popes* orders without licence from the King, may finde a seisure made vpon all the Temporalties of those Bishops of *Ely* and *Norwich*, for the publication of a Bull against *Hugh* Earle of *Chester*; And further obserue also, that the Bishop of *Ely* was condemned of felony by a Iury at the Kings bench, notwithstanding his bold challenge to be *vncius Domini & frater Papæ*, the *Popes* brother; but a yonger as it seemes, by bearing his dignitie with so great a difference. The Bishop of *Carlile* in like maner, (notwithstanding the priuiledge of vnction) was condemned of high treason at the Barre, (though not in the *Popes* cause) in the time of *Henry* the fourth, and that worthily. For though *Salomon* spared the life of *Abiathar* out of a speciall fauour, and a kinde of reuerence to Relgion, *Quia portauit Arcam Domini*, because he had once caried the Arke of God; yet by that he calls him *virum mortis*, I may lawfully conclude, what in Iustice he might haue done concerning life: but of his depriuation the Text it selfe giues cleare euidence.

Edward 3.

Henry 4.

I adde to this example the learned iudgement of *Baptista Baiardus* a profound Ciuilian, That a Bishop offending in case of Treason, cannot bee exempted

exempted by his function from triall before a Iudge meerely Secular: and for proofe hereof no man can witneſſe better then *Philip de Comynes*, what ſlight anſwer was giuen by the French king his Maſter, to the *Popes* inceſſant ſuit by the *Nuntio*, for the releaſe of a Cardinall, whoſe place and dignitie was more eminent.

In *Spaine* it ſelfe, which ſeemes in this age to be moſt preciſe and tender of that point which is termed the Churches libertie (though neither circumſcribed within any certaine limits of admittance, nor defined till this day by any doctour of either Law,) their owne writers auow, That the Biſhop of *Conimbra* was cõſtrained by the State to recall a ſentence againſt the King, which the *Pope* himſelfe had both encouraged and iuſtified. *Don Pedro* King of *Aragon* in ſcorne of the *Popes* charge vnder paine of cenſure, not to take vpon him any longer the title of that Crowne, which, out of his owne particular affection he had ſettled before vpon another Princes head, intituled himſelfe *Imperatorem mariũ, & regnorum dominum*, meaning rather to aduance then diſmiſſe his ſtile by the *Popes* ladder.

Many of their Kings, as I could expreſſe at better leaſure, haue withſtood peremptory cenſures of the Church of *Rome*, almoſt *Ad deliquium animæ*, ſometime vpon ſuppoſition of incontinencie: ſometime vpon the ſtay of the maine ſtrooke of that oare in their eſtate: ſometime about collations, tranſpoſitions, inueſtitures, without any

inward gall or vexation of conſcience for exaſperating a *Popes* humor in defence of their owne prerogatiue. Let the walles and battlements of the Caſtle Saint *Angelo* in *Rome* beare record of the pietie, patience and humilitie of *Charles* the fifth, Grandfather to the King of *Spaine* now regnant, when the *Pope* in paſsion ouerſtrayned both the duety of a Childe, and the patience of ſo great a Potentate. I thinke M. *Garnet* wil admit, that theſe thouſand yeeres there was not a more obedient daughter to the Church of *Rome* then Queene *Marie*, that could neuer reſt in quiet, till ſhe had reduced the ſtraying ſheepe of her Dominions, as ſhe conceiued, to S. *Peters* Folde: and yet without regard or awe of the *Popes* ſharpe cenſures againſt the King her husband, ſhe neuer gaue ouer ayding him with Money, and aſsiſting him with Force, till he was perfectly reconciled to the Church, and the ſtrife determined. For as by the Law of God ſhe found her ſelfe preciſely bound in cleauing to her husband, with whom by vnion ſhe became *vna caro*, to forſake all the world: So in the ſame Law ſhe findes in point of fact no ſtraighter bond, nor ſtronger warrant of obedience to the ſentence of the Prieſt, then ſhe obſerues the Prieſt to ground himſelfe vpon the Law of God, that is, *quem ipſe ſecundùm Legem docuerit*, which reſt is in deede that *Lapis Lydius* to which we ought all to reſort for the tryall of all coynes that are currant among Chriſtians, whoſe image or ſtampe ſoeuer they ſeeme to beare, in caſe

caſe we finde them oftentimes embaſed by alaie, and apt to mine into the foundations of equitie and pietie. For till I ſee it cleare either by doctrine or experience, that God created all men *Stoicks*, or rather as void of ſence as ſtockes, and inſtituted *Popes* not only *diſpenſatores myſteriorum*, diſtributers of his myſteries, but *tamquam angelos lucis*, as Angels of light, or more then Angels of light, becauſe in thoſe as *Iob* recordes, *inuenit prauitatem*; I muſt borrow leaue in diſcerning matters of this qualitie, to make vſe of the little reaſon, and the great reſpect I haue: leauing thoſe that are of another minde, to borrow ſuch diſcretion by obſeruation, which in this world all perſons at all times neither euer had, nor can euer haue.

By theſe preſedents and many more, which time ſerues not to dilate or to enlarge, I hold it very cleare, that both Princes and their Biſhops haue obeyed theſe Papall cenſures in matters touching their Prerogatiue and State, neither longer nor oftener then debilitie or neceſsitie enforced them to abate their ſayles, in a ſtorme of diſtreſſe: That decrees priuatiue haue bin often ſquared by lawes poſitiue; and that albeit many Kings haue made a ſhew to be milde ſpectators of their neighbours harmes, yet if the caſe came once to touch either their owne affection or their right; they were content to reade without the ordinary conſonants of the *Romane* alphabet. If then the weapons with which our Anteceſſors fought againſt

ambition and wrong, haue bin eaten into by the canckers of superstitious feare, or ouerawed by retchlesse sloth; let vs scoure them with the powder of Experience, (since these hot alarmes begin to sound) before wee be surprised in ouer great securitie, and by resorting often to the rule of Gods direction, which is *verus Iudex et sui & obliqui*, wee shall the better vnderstand, according to the qualitie of superior commands, either to lay downe our liues, or submit our conformitie. It was in my conceipt a paine well taken of late yeeres to reduce the Feast of our Sauiours Natiuitie as neere to the right terme or period, as Arte and industrie could deuise, by taking vp the loose Minutes which by tracte of time, and multiplication of degrees had drawen out a wider distance by certaine dayes, then was consonant to the first Calender: and therefore the like labour in another kinde might worthily reduce the challenge which *Popes* haue pretended in some cases aboue Kings, to the same proportion which it held vnder *Gregorie* the first, *Leo*, and all other Bishops of that Sea before that date, by cutting off encrochments, which by fractions of time haue brought the Church into scandale, & the greatest part of Princes into iealousie: For all this while boldnesse vndertakes, wit contriues, assistance furthers, conscience prepares, scrupulositie consents, strength preuailes, and Maiestie suffers.

Now must I begin either by M *Garnets* leaue, or against his leaue, to rip vp the false stitches of the

the Canon, *Nos ſanctorum prædeceſſorum*, confidently vouched at his firſt approch to the Councell board: after iuſtified before the Lords in Commiſsion: and at this inſtant ſtood vpon (as our owne eares can witneſſe) in defence of that ſuppoſed intereſt of depoſing or diſpatching lawfull Kings, which is the binding knot of the late Gordian Conſpiracie. For though wiſe men that either follow learned conſcience, or any certaintie of direction or rule, will taxe M. *Garnets* haſte in preſuppoſing cenſures, which the *Pope* did neuer yet pronounce, in dealing worſe with his owne Soueraigne, then any other Prince in his condition, running without an errand, and rebelling without a colour: yet I wil take this Canon for the time *de bene eſſe* as it lies, *vt concuſſo fundamento arx ipſa concidat*. This onely principle (if I erre not) hath more afflicted, diſcredited, and diſabled the *Popes* meanes and inſtruments, in working his owne endes, then all theba tteries that haue been bent againſt the *Vatican* for the ſpace of fiue hundred yeeres. For what Prince vnder heauen can repute his State ſecure, ſo long as euery ſmall diſtaſte to the *Popes* deſire may ground a challenge, the challenge may procure a citation, the citation may produce a ſentence, the ſentence either neglected or not ſatiſfied, inferres contumacy, and contumacy depriues the ſuppoſed delinquent of that honor which nature giues, conſcience auowes, and conſent fortifies? ſo as in this caſe either *Gregorie* the ſeuenth in re-

ſpect of his ill happe, or no other perſon vpon earth hath reaſon to acknowledge that rule of the holy Ghoſt, that *in quo peccamus, in eodem plectimur.* The wordes of the Canon ſtrongly bent againſt the Crowne Imperial of *Henry* the fourth, are not many, but yet heauie, and in Engliſh thus: *We obſeruing the Statutes of our holy Predeceſſors, doe abſolue thoſe that are bound by fidelitie and Oath to perſons excommunicated, from their Oaths, and doe forbid them to obſerue or keepe their fealtie toward them,* quouſque ipſi ad ſatisfactionem veniant, *till they come to yeelde ſatiſfaction.*

Thus farre the text of the Canon *expreſſus verbis:* but ſince this is that *pillula aurea* (or rather *deaurata*) that pill not of gold but guilt, which is preſerued in the cabinet of the Church of *Rome* to purge Princes of their choller *in morbis acutis* in hot feauers: that is, whenſoeuer they beginne to ſquare with the *Pope* about any point of Eccleſiaſticall prerogatiue: and ſince *M. Garnet* for his owne part likes the compoſition ſo well, as that he ſhrinckes not in defence thereof to hazard the life, and ſtate of his matchleſſe Soueraigne, and his Royall iſſue, ſuppoſing them to be more ſicke (God be thanked) then they finde themſelues; It behoueth mee out of affection and duety to my deare Soueraigne (though otherwiſe vnworthy ſo much as to gather *herbas agreſtes* with that child of the Prophet *in die critico*, vpon this day criticall,) to examine the firſt *recipe* as I finde it formally ſubſcribed by the *Popes* owne hand, that by

more

more heedfull looking into the qualitie of particular ingredients, I may the better vnderſtand, by vnderſtanding iudge, and out of iudgement reſolue how well it agrees with the preſcripts of *melioris æui*, both in proportion and propertie.

The firſt ingredient (of obſeruing ſtatutes,) I confeſſe to be of great effect in working the cure of any grieuance to the Church or Common-wealth: but yet I find it not of vſe among the Canoniſts, that exempt the *Pope* from the Regular obſeruation of any Law or ſtatute, that out of his owne election he likes not to follow. But to the matter, I would learne whoſe ſtatutes they are, or by whom enacted, or in what Parliament, that *Gregory* the ſeuenth, entending to depoſe an Emperour, (eſtabliſhed by the prouidence of God, and taking Gods owne Office into his hand, by making himſelfe in this point *Similem altiſsimo*) will obſerue thus tenderly. Surely the Prophet *Dauid* was neuer in the number of thoſe predeceſſors that promulged any ſuch decree, condemning perſons with all kindes of preſumption or diſcontent, that ſhall induce a Subiect to lift vp his hand *contra vnctum Domini*. Our Sauiour was none of them, commaunding his diſciples to giue vnto *Cæſar* what is *Cæſars*, and rather to endure, then offer violence to any man, much leſſe to Magiſtrates. *S. Peter*, that ought to be the firſt in reſpect of the deſcent which the *Popes* deriue, gaue neuer any voice to any ſuch decree: for hee enioynes obedience euen to Tyrants, whoſe authoritie

thoritie was absolute. Saint *Paul* was none: for he commandeth prayers to be made by the faithfull, *pro regibus, & omnibus qui in sublimitate constituti sunt*, for Kings, and all those that are placed in sublimitie, as at that instant *Nero* the tyrant was; and to what end? that vnder them the Christians might peaceably liue.

Out of the rancke of these predecessours, hee must exclude *Pope Xistus*, who touching the rule of conscience, resolued rather to obey God then man: but touching the point of obedience, made no kind of resistance nor opposition to tyrannie. And *Origens* opinion was, That *omnia crimina quæ vindicari vult Deus, non per Antistites, & principes Ecclesiarum, sed per mundi Iudices voluit vindicari.* Hee must exclude *Marcellinus*, that offended no magistrate any further, then to make the Church of God know that *Cæsars* decrees were no lawfull warrants, as some taught, for Idolatry. He must exclude *Cornelius*, who being charged with a course of entertayning intelligence by Letter, with *S Cyprian* the Bishop of *Carthage* (at that time) protested at his death, that the contents of those Letters had no other end or drift, then preseruation of soules So farre were they from derogation of obedience to authoritie, as *S. Gregory* had neuer read this statute: for vnlesse they will auow that *Seruus* may be *supra Dominum*, which *Christ* denies, they must confesse that *Gregory* acknowledging himselfe a seruant to *Mauritius*, he could neither ouertop him, nor reigne ouer him.

Neither

Neither is it probable that *Pope Anaſtaſius* to an Emperor of that name would haue written, That the breaſt of his clemencie was the ſhrine of publicke happineſſe, and that his height carried the place of that Lieutenancie, which God commanded to rule and gouerne vpon earth, if he had held him a tenant of his Crowne to the See Apoſtolicke; and therefore with our venerable countreyman I muſt conclude, that the Maſter rule of our life, is *Eccleſiæ primitiuæ actus imitari*, To imitate the examples of the Church Primatiue.

But if (notwithſtanding this obedience) they will enforce a man to raigne, that with his owne mouth doeth profeſſe the contrary, which is to ſerue; Let them call to minde that obſeruation of the wiſeſt King that euer was, That one of the chiefe inſtruments, *Per quæ mouetur terra*, by which the earth is ſhaken, is *Seruus cùm regnauerit*. I know not what *Pope* can pretend a better title to the prerogatiue of making Lawes and ſtatutes, then all or ſome of theſe which had their courſe, and held that Chaire; and yet we finde not that all this while the caſe was put, (much leſſe ruled) by ſuch Lawes or ſtatutes, as might either countenance the *Popes* challenge, or excuſe his intruſion. But why ſhould we thus puſſell or afflict our ſpirits in turning ouer both the Teſtaments, in ranſacking the volumes of the Councels, or in ſounding the iudgement of the learned fathers about the names of thoſe holy predeceſſors which are onely recorded in their Library? In ſingling

ſome of the principals frō the body of the heard, and hearing them expreſſe their owne conceits in their owne wordes, it may perhaps be found that their reputations in this point haue bene further charged, then they can bee blemiſhed; bare wordes are not to be recorded without demonſtrations of right, or impreſsions of acknowledgment. But in the courſe of my owne reading (which were ſufficient to find out a black ſwanne if any were, though not ſo well able to reſolue a doubt as many are) I may proteſt that I could neuer light vpon a preſident of any *Pope* before *Gregory* the ſeuenth, that tooke notice of any ſtatute, much more enacted or approued any for the maintenance of this depoſing challenge; although in caſe there had bin ſuch, I ſhould hardly haue preferred the practiſe of any ſinner that may ſwarue, before the precept of a Sauiour that deriues doctrine from Deitie.

The Ciuill Lawes decree, That *Si princeps cauſam inter partes audierit & ſententiam dixerit, eſt lex in omnibus ſimilibus:* If a Prince haue heard a cauſe among the parties and pronounced ſentence, in all like caſes it ſhall ſtand for Law: much more in caſes of obedience and ſufferance, which *Rex regum*, the King of all kings hath both heard and determined. For if the Schoolemen haue reſolued truely and aduiſedly, that the *Pope* cannot remit ſinnes without Sacramentall miniſtration, nor alter formes eſſentiall, nor *ad placitum* releaſe vowes: becauſe this abſolute prerogatiue, onely

appertaines

appertaines to the Key of him which opens and no man ſhuts; much leſſe can any *Pope* out of the ſtrength of paſsion, (though wrapped and inuolued within many folds of faire apparences) depriue Magiſtrates.

Whether the Chaire of *Gregory* the ſeuenth brake or not (as one writer notes) at the pronouncing of the ſentence, (becauſe the *Pope* or the ſentence, or both *Pope* and ſentence were too heauy for a Chaire that had not bene ſo farre preſſed or ſurcharged for the ſpace of a thouſand yeeres) it is not my purpoſe at this preſent to diſpute: but I am very ſure, that the policie, the diſcipline, and order of the Church, receiued a great cracke, when the force of the ſpirit was peruerted and abuſed to the ſatisfaction of inordinate deſires, which mortification ſhould rather ſuppreſſe, then ambition execute. For Saint *Bernard* writeth with great iudgement to *Pope Eugenius*, that *Epiſcopi & miniſtri Eccleſiæ cùm tractant politica*, when Biſhops and paſtours of the Church entermedle with Ciuill policie, (I meane ſo farre as may put Princes to their plundge) they inuade the limits, they diſturbe the functions, and thruſt their ſickle into the harueſt of other men. If none of the predeceſſours of *Gregory* the ſeuenth (in which many were Religious, regarding more internall pietie, then externall pompe,) were priuie to the reaſon or the promulgation of ſuch a Law, but *Gregory* himſelfe firſt vndertooke the exerciſe *duorum gladiorum*, of two ſwords vpon a weake

Text in *S. Luke*, (which is not taken in that ſence by any of thoſe fathers whom *Thomas Aquinas* voucheth *in catena aurea*) Is it not then more then probable, that this Law was both enacted and proclaimed in one day, without any former preſedent or record, either *in albo prætorum*, or *in rubrica Martyrum*?

Trithemius a graue and learned writer, liuing in the yere 1005. which was about the time wherein the *Pope* was put into this heat, affirmes, That this queſtion was then argued, but not determined: and where? not *inter Epiſcopos*, but *inter Scholaſticos*: among the Schoolemen: whether it belonged to the Spiritual iuriſdiction of the *Pope*, to depoſe an Emperour from ſoueraigne dignity.

The Church of *Liege* in like maner in the ſame quarrell, and ſoone after the ſame time, auow by letter to *Pope Paſchale*, that none of thoſe holy predeceſſors of which *Gregory* the ſeuenth ſpeakes, euer drew the ſword againſt any Emperour, before himſelfe, commanding that great Lady the Counteſſe *Mawd* (that in her life depended wholly vpon his direction, and on her death bed left a rich legacy to the Church) and that *in remiſſionem peccatorum*, to perſecute this Prince: whereas CHRIST himſelfe whom *Gregory* ſhould imitate vpon the ſame condition *peccatorum remiſſionis*, that is, as we forgiue the treſpaſſes, enioyneth his diſciples to forgiue their enemies, and that not ſeuen times onely (which agrees well with the number of *ſeptimus Gregorius*) but ſeuenty times

and

and ſeuen, vſing the number finite for infinite, which agrees better with the duety of *Gregorius Epiſcopus.*

Otho Friſingenſis an other authour of thoſe times, concurring formally with the two precedent Witneſſes, affirmes, that *legendo & relegendo*, in reading and reading ouer againe the Liues and Actions of Emperours, he could not hit vpon any one in that rancke, that before *Henry* the 4. was expelled or depoſed by the Papacy. Wherefore the proofe ſtanding very cleare and pregnant, as I take it on this ſide, aſwell *Quia probatur manifeſtum*, as *Quia non probatur contrarium*: that this acte of *Gregory* found no right antecedent whereupon to ground a reaſonable conſequent; I would gladly learne for my owne inſtruction of any Writer, moderne or ancient, whether it were a iuſt part in a Iudge to condemne an Emperour, *cauſa inaudita*: or a wiſe part in an Emperour, to put his Crowne in *manus Papales*, into the *Popes* hands without ſurer hold: or a religious part in a *Pope*, to vouch ſuch Records as are not any where ſet downe, if they bee not in Tables of yce, *Idque flantibus auris*, the winds blowing Southerly. But it may be that I haue miſtaken by errour, or ouerſhot with haſte, or omitted by preiudice ſome ſuch predeceſſor to *Gregory*, as was authour of ſome ſuch act, without any kinde of exception made in the behalfe of the Prince, either of inualiditie of the ſentence, or of peril in the proceſſe: For this *Pope* voucheth *Zachary* a predeceſſor of

his owne that depoſed *Childerick* the King of France: though as *Gelaſius* reportes to *Anaſtaſius*, this heauy ſentence fell not on him, ſo much for any crime committed by himſelfe, as becauſe he was reputed *Inutilis*, vnprofitable, or of no vſe to ſo great a Monarchie.

I would be loath that any man ſhould hold me ſo preſumptuous or vndiſcreet, as to cary ouer a queſtion of this importance, with a peremptory ſtraine, as if no Author had reported this ſuppreſſion of *Childerick* to haue bene in very deed the powerfull act and execution of *Zachary*. For I acknowledge that ſome ſuch there are (though earneſtly tranſported with a deſire to raiſe and improue the reputation of *Rome*, by an effect of ſo forcible authoritie.) My deſire is therefore onely to be heard in a word or two, & ſo farre to be credited, as the waight of reaſons may demonſtrate, that onely the Peeres of France depriued *Childerick* by vniforme conſent, howſoeuer they were prouidently carefull afterward, that their proceeding vpon tickle termes, might paſſe more currantly the voyce and cenſure of the world, by approbation of ſo graue an oracle. But herein firſt I note, That *Gregory* giues euidence with his owne mouth *in cauſa propria*, in a cauſe that concernes himſelfe, which *Eſay* did not, appealing *ad Legem & teſtimonium*: nor our Sauiour, excluding any mans report, *Qui de ſeipſo perhibet teſtimonium*: nor *S. Peter* vpon aduantage *Sermonis prophetici*. The Ciuilians allow not this

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prerogatiue to *Cæsar*, nor the Bishops of *Africa* to *Zozimus*, nor *Iohannes de Parisijs* to any *Pope, nisi scripturæ fulciatur authoritate*, vnlesse he be supported by the warrant of Holy writ: Nor the Canons themselues to any mortall man that may be subiect to affections. But I will let this aduantage passe, though it may seeme strange, that whereas the figure of *S Peters* person was sufficient whilest he conuersed vpon earth, to cure priuate men of their infirmities, it happens after his translation into the Mount, that the shadow of his function should preuaile so farre as to the suppression of Monarchies.

First therefore, in disproofe of absolution from oath, and depriuation of Regall iurisdiction ascribed to this *Pope*, I take hold of the Glosse it selfe, expounding this word *deposuit*, for *deponentibus consensit*: For hereby it appeares, that this honest man being farre from their ambition and presumption, that hold it a great honor for a *Pope* to depose a King, sought carefully and modestly to acquite that chaire of an imputed crime, (or error at the least) applying the text of his owne Record to the testimony of the best Histories. For in a Storie found in the Librarie of the Abbey of *Fulda* among the *Germaines* it is plaine, and by the report of a French Writer very ancient, that King *Pepine* of France was surrogated into the place of *Childericke* by the whole Nation of the Franckes *relatione tantummodo missa ad sedem Apostolicam*, report being only made to the Sea Apostolike.

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It is likewiſe euident by the ſame Author, that before any Ambaſſador was ſent to *Rome* from France, this ſillie cipher of a King, *non re ſed nomine tantummodo regnabat*, was a King in title, not in trueth, and did onely fill the place of Royaltie, vpon the ſtage of Scorne: and therefore when the Reals were all conuerted into Nominals, let no man wonder at the voyce of ratification, but rather note the reproofe of imbecilitie. The whole ſway and ſtroke of affaires in the State reſted at that time in the hand of one perſon onely, that was *Maire du Palais*, his ſole acte was authenticall, his word was law: to him they reſorted for reſolution: to him they gaue thankes for ſatisfaction: and therefore if it be true that *priuatio præſupponit habitum*, it muſt likewiſe be true that *Childerick* could not be depriued of a ſtate whereof he was not poſſeſſed at that inſtant, without new grounds of Philoſophy. Another Author writes, *miſiſſe Barones ad Zachariam Papam*, that the Barons of France ſent to *Pope Zacharie* as it were to conſult, whether *ignauum pecus* a drone that deuoures, or a Bee that labours, were more ſufficient to commaund ſo great a ſtate; and that *Zacharie*, not vnlike in this to *Alexander* the great, beſtowed his voyce of approbation on him that ſhould be reputed *digniſsimus*. *Gagwine* makes a queſtion to be mooued to *Pope Zacharie* from the whole Eſtate of *France*, by this kinde of compariſon, Whether of theſe two perſons, *data electione*, free choyſe being giuen, were more capable of

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gouernement, hee that ſpendes his time at home *nihil agens* idlely, or he that bending his whole endeuour to affaires *induſtria virtuteque publica negotia moderaretur*. But the *Popes* anſwere being (by the report of this Author) as was teſtified before, *hoc adducti reſponſo proceres ſibi Regem delegerunt*, the Peeres induced by the ſame, choſe *Pepin* King. But as we know, that a queſtion in point of fact, ſubmits no clayme of right, ſo the *Popes* anſwere out of diſcretion, implies no bond or obligation of neceſsitie. With this opinion concurres another writer of that State, prooving by an expreſſe deduction of the whole cauſe, that the choiſe of *Pepin* proceeded originally from the free conſent of the French *Peeres*, though for preuention of all doubts and ſcruples, leſt male-contents might aſcribe the proceſſe rather to reſpectiue faction, then to ſingle faith, there was great vſe of the *Popes* authoritie *diſponentis in dubio procerum*, reſoluing the doubt which cauſed the Peeres to ſtagger. This would haue bin the end, whatſoeuer cloudes were caſt, or the *Pope* had ſayd: but *abundans cautela non nocet*, and the perſons that either are not at all, or very litle intereſſed by their owne particular in the point of queſtion, are preſumed by the law to regard the matters with eyes of greateſt equitie. This maner of proceeding is not ſtrange; for *Ioab* feating at the height of his fortune the ſhotte of enuie, preſſed *Dauid* with a powerfull Argument, to come in perſon, and receiue the honour of the giuing vp

of the Forte of *Rabbath*, that by his industry was brought to the last pinch, lest his owne glory in the world might swell too much by the fortunate addition of so prosperous an accident. Wee count that Doctor happy, that resorts to the sicke patient *in declinatione morbi*: and it hath euer bin accounted an effect of skill, to winde in the conscience of an vpright Iudge for the countenance of a cause humorously vndertaken by the first author, that workes vnder the reputation of vnsuspected trueth. Wherefore, though this *Maior du Palais*, or Superintendent generall ouer all the French affaires, held it his best course, to maske ambition with the vaile of holinesse, though *Zacharie* were not vnwilling in the end to take hold of this offer for the grounding of a Presedent of challenge, and aduantage in like causes at another time: though the Peeres were willing to leaue *Speciem* to *Zacharie*, reteining *Vim* the strength and execution onely to themselues, let this bee neither rule nor instrument of curbing Princes of better vnderstanding, or emboldening *Popes* of stronger mindes. For aswell might the poore Flie sitting on the Cart wheele while it was in mooving, wonder at the great cloude of dust which she raised in the beaten way, as *Gregory* or *Zacharie* draw counsell to power, or make that acte their owne, which was hammered in the forge of ambition, countenanced with a colour of necessitie, and executed by a minister that being weary of subordination, resolued by this tricke,

tricke, when the meanes were fitted and prepared to the plot, to make himselfe absolute. The case of Kings were pitifull, if *ex factis singularibus* out of speciall factes and practises, as the Chapter of *Liege* writeth gravely to *Pope Paschall*, it were lawfull to draw leaden rules in their disgrace. For some men vndertake too much out of presumption: some yeeld too much out of cowardise: the greater part straine farther then they ought of right: and those weake rules lighting by mishap into the hand of power, not tempered with conscience, are sometime forced by affection: sometime bent with corruption: and for the greatest part applied with subtiltie. It seemeth not (by the report of *Paulus Aemilius*) that this manner of proceeding against Princes by the chiefe Pastors of the Church (though without passion, and at the request of publike States) was vsuall or ordinary in those dayes: much lesse humorous, violent, or voluntary decrees. For *Zachary* himselfe was at the first so moderate and mannerly, *vt non auderet tam magni momenti cogitationem suscipere* so much as apprehend a conceit or thought of so great a businesse. And therefore though we should dispence with *Gregorie* the seuenth in vouching this predecessor in the point: yet the predecessor himselfe by daintinesse, doth in a sort disclayme the *Charter* which hee should pretend, without either enforcing or vrging (in so plaine a speare) any externall trauerse of obliquitie.

By this Author it is manifest, with what ten-

derneſſe, aduice, and caution the *Pope* opened a veine that is apt to bleede aboue the meaſure which the Doctors arte preſcribes; For finding by enquirie, that *Childericke* was the laſt branch (though ſeare and withered) of *Clouis* the firſt Chriſtian Prince among the French, that he was *ſine liberis, ſine ingenio*, without either iſſue or diſcretion, (the ſtrongeſt ſinewes both of ſucceſsion and gouernement) that hee was ſo benummed with ſloth and ſenſualitie, that he could not feele the taking off his Crowne from his head, that his ſuppreſsion was not onely ſought by France, but applauded by the world: the *Pope* proceeded, hauing perhaps in his eye the bond whereby hee might engage the kindneſſe of King *Pepin* to the Church of *Rome*, againſt the *Greekiſh* Emperors (tranſported with ielouſie.) This makes *Kranſius* in his hiſtorie of *Saxe* to wonder at the faſtneſſe betweene the French Kings and the *Popes* (like hands that waſh and helpe one another by mutuall ſupport) in atteining thoſe high obiects which both aymed at. *Antoninus* ioynes with others in expreſsing the demaund comparatiue betweene a Prince of Iudgement, & a *faict-neant*, an image, and a man: betweene a King in deede, and one *qui ſolo nomine regio regeretur:* that was onely maſked with the Name and Title of a King: adding that the States aſſembled vpon the firſt returne of the *Popes* anſwere, ſuppreſſed *Childericke*, and rayſed his Competitor. *Zacharie* was ſo farre from kuelling at the perſon or the Crowne of *Childericke*

ricke in hypotheſi (if wee giue credite to our owne Countreyman *Polychronicon*) as he onely meant in *theſi* to ſet downe his iudgement of the difference which a wiſe State ought to make between two Princes qualified, not onely in a kinde of diſproportion, but of a direct oppoſition of gifts and properties. *Gotefridus Viterbienſis* ſtriking rather at the roote, then at the branches of this enterpriſe, affirmes not *Francos Zachariæ paruiſſe decreto, ſed acquieuiſſe conſilio:* though the difference be as great as betweene an abſolute iniunction, and a politike aduiſe. *Sabellicus* without ſo much as dreaming of a Donatiue, auowes a Counſell by theſe wordes, *conſulto prius Pontifice.* *Nauclere* yet more roundly if it be poſsible, that after the Peeres had firſt elected, the *Pope* ratified. And with him agrees *Blondus* in one tune, without eyther wreſt of violence, or inducement of affection.

Out of *Auentyne* I draw two reaſons of concluſion againſt the Iuriſdiction of *Pope Zacharie*. The firſt, That being mooued by the French Peeres as before, he takes his ground of anſwere from the reuolt of the ten Tribes (though as aptly as a man might auow the riſing of *Iack Cade* againſt his anoynted Soueraigne.) For, the ſinnes of that vngodly race, the curſes that were pronounced againſt the Rebels themſelues, and the cenſures of Gods Prophets euidently proue, that the fact was exorbitant. The ſame reaſon may be drawen from *Zacharies* owne paradoxe at the

ſame returne, defending that ſince Princes holde their Crownes and gouernements of the peoples choiſe, in whom it reſteth abſolutely *conſtituere et deſtituere*, to conſtitute and deſert. For though the doctrine be as dangerous as it is damnable, yet hereby it is euident, (for me) that the right of depoſition (being as the *Pope* himſelfe auowes, inueſted in the people) was not in himſelfe, and by conſequent, that he was a counſellor, but no commaunder: an aſsiſtant, not a iudge: and that he did only approue by admittance, not enioyne by prerogatiue.

I know that M. *Garnet* and the reſt will as vnwillingly admit the iudgement of the *Centuries* in this circumſtance concerning *Childericke*, (as other would Barons of another ſide) further then the warrant of their proofe makes way: which mooues me with a better will to let them paſſe, and leaue the iudgement of this point vpon the credit of ſuch Authors as had no reaſon to ſpeake more then trueth for aduantage of either part, becauſe in thoſe dayes not the manner, but the matter: not the circumſtance, but the ſubſtance: not *quo iure*, but *ad quem finem* came to be decided betweene the *Pope* and the *Parliament*.

But touching the *Popes* proceſſe againſt *Henry*, the Chapter of the Church of *Liege* doeth vnfainedly proteſt, that in their exact peruſall of both Teſtaments, they could finde no preſedent *huiuſmodi præcepti Apoſtolici* of any ſuch Iniunction or writte Apoſtolike. A good caution to make vs

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tender in misdeeming of their reportes and testimonies which (liuing in the time of this distemper voide of passion, and qualified with modesty, being learned both in the Scriptures and the Ciuill Lawes, and regarding more the Peace and quiet of the Church, then the partialities or humours of either side) affirmes soundly out of knowledge, and confidently vpon their credite, That this *Gregorie* the seuenth was the first *Pope* that deposed any Prince by the warrant of S. *Peters* Keyes; or to vse their owne phrase, That euer lifted vp the Priestly Launce against *Cæsars* Sword, not dreaming of any formall processe sent out by *Pope Zacharie* against King *Childerick*.

The very circle of a Crowne Imperiall (so farre as any state or fortune beneath the Moone can reach) emplies a perpetuitie of motion: for according to that principle of the *Mathematicks* as it beginnes from all parts alike, so *in seipsa desinit*: and ends absolutely in it selfe without any other point or scope obiectual to moue vnto. That the *Pope* hath sometimes set the Crowne Imperial vpon *Cæsars* head, since the crowning of king *Pepine* (whom I take to be the first) ought to be no reason of his to sitting Crownes from head to head like Tennis-balls, for this were the way by signes to destroy substances, and to oppose formalitie to necessitie, and occasion to institution. The *Metropolitane* of euery kingdome, may doe asmuch in forme *Non conferendo ius sed implendo iustitiam*, not conferring right, but doing what is

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iuſt and right, as it is aptly ſaide by one of their owne partners. For though the *Pope* reſerue vnto himſelfe this finall intereſt of crowning an elected Emperor at *Rome*, and ſome flatterers would deriue a kind of neceſsity for conſummation and eſtabliſhment from thence, yet many Emperours of an elder date, and *Charles* the fifth in our time, haue bene ready with their ſwords in their hands to proue (notwithſtanding *filial* regard, and reuerence to the mother Church) that the ſtroke of power is abſolute without relatiue formalitie. I conclude this queſtion concerning *Childericke*, with an Argument inuitable either by inuention or ſophiſtrie, not diſabling the witneſſes. For *Soto* both a Frier and a learned Schooleman holdes, That *extra cauſas fidei ipſi Pontifices nunquam anſi ſunt Reges deponere:* the *Popes* themſelues durſt neuer depoſe any King without the compaſſe of ſuch matters as concerne faith. But *Childericke* was depoſed not for any point of faith, but as *Pope Gelaſius* writes to *Anaſtaſius*, becauſe he was of no vſe to the Church; therefore it is not poſsible that *Childericke* ſhould be depoſed by *Pope Zacharie*. What hew and crie hath bin made in former times againſt vnciuill claymes varniſhed with religious pretences, nothing prooues more plainely then the ſtrong oppoſition which was made at the holy Land to *Pelagius* the *Popes* Legate, for ſeeking to draw in all partes to the ſhare of the Church, at the taking of the rich Citie *Damiata*, not vnlike to the partition which was made

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by the Lyon to other beaſtes that hunted in his company: For it is true that at the firſt they wondered, and after complayned, that the Miniſter of him, whoſe office was to ſtrengthen by aduiſe, ſhould diſcourage by too much greedineſſe.

To that example which is giuen by *Gregory* the ſeuenth of *Alexander* the firſt, another ſuppoſed predeceſſour, abſoluing Chriſtians from oathes, it were idleneſſe to ſhape any formall anſwere; ſince it hath neither likelihood in common ſence, nor ground of Antiquitie: For, in a thouſand yeeres after *Alexander* the firſt, this kind of releaſing oaths was not hatched, much leſſe practiſed. It is not probable that a diſcreete *Pope* voyde of humors, (as in that firſt ſpring of pietie all were) would haue ſought to range a faithleſſe Prince to formall diſcipline, ſince *Paul* himſelfe refuſeth to iudge thoſe that were no ſheepe of the Folde, but *foris*, that is, without. And as vnprobable it is, that when the Biſhops of *Rome* intended moſt the winning of ſoules by obedience, they ſhould giue ſo great cauſe of diſtaſte to thoſe Princes, that by the ſtrength of their owne Lawes were moſt abſolute in authoritie. It may be that *Alexander* the firſt might comfort and ſecure the conſcience of ſome Chriſtians that were ouer ſcrupulous and preciſe in obſeruing wicked and vnlawfull oaths, which are *ipſo iure nulla*, (though the *Pope* ſhould not diſpenſe) and therefore broken with a better conſcience toward God, then kept. But how proues that the breach of lawfull oathes to Prin-

ces that are rightly ſeated in their States, (though perhaps not euer good) which the Church condemnes, and no Law iuſtifies? I hold it moſt abſurd, that the Church of *Rome* for greatneſſe, or the Church vniuerſall for inſtruction, would not haue kept Record of ſuch a facte, if any ſuch had bin: but it is not hard to proue *quidlibet ex quolibet*, where men may deuiſe to coyne their owne poſitions without care either to anſwere for preſumption, or to account for ignorance, and then to grace them with proteſtations of pietie.

The caution which *S. Peter* is ſaid to giue at the ordination of *S. Clement*, that no man ſhould bee fauoured or kindly entertained by the true profeſſors of Religion, againſt whom his ſucceſſors ſhould conceiue offence, may bee admitted without preiudice to this point; if wee ſpeake of ſuch iuſt offences as Gods Lawes puniſheth. There are caſes wherein a man that doeth but in a word ſalute and giue a God-ſpeed to a grieuous ſinner, is ſaid *Communicare operibus ipſius malignis:* but this is not euer, when *S. Clements* ſucceſſours cenſure more out of paſsion, then out of reaſon. Chriſtian Princes were not ſo much as thought vpon when this courſe was ſet, & therefore farre out of *Pope Alexanders* ayme, that is made to wound a King ſtanding ſo farre off, with a headleſſe arrow. Reaſon ſatisfies thus farre, that the Paſtors of the Church (excluding vs out of the fold,) can bereaue vs onely of thoſe things which they giue vs at our comming in, that is, the kingdome

dome of Heauen, more in value then ten Millions of worlds, but no kingdome vpon earth: coëinheritance with Saints, not with ſinners: eternall bleſsings, not temporal benefits. It appeares the Wardrobe is very beggerly (as one of *M. Garnets* fellowes wrote ouer in ſuch another caſe) that affords nothing but rags in ſtead of robes; And the ſtocke goes low, that would pay counters for *Portagues*.

Theſe are all the predeceſſors which *Gregory* the ſeuenth preſents as it were in a Mummery, to caſt dice for a Princes Crowne, as the Souldiers did for the ſeamleſſe coat of CHRIST: for they come, and goe out againe, without either ſpeaking any word, or giuing other notice, then by ſignes, which is nothing in effect: their ende ſhould rather giue euidence, then make appearance, diſpute, then dally. It is hard that the *Pope* ſhould flouriſh in this ſhameleſſe maner, about the heades of anoynted Maieſtie with a ruſty ſword, which ſince the time that *S. Peter* was commanded to put it into the ſcabberd, was neuer drawen; nor by the rule of CHRIST ought to be.

King *Edgar* in an excellent Oration, perſwading the *Saxon* Biſhops that had the ſword of *Peter*, to ioyne hands with him that had the ſword of *Conſtantine* for the cleanſing of the Church, meant nothing leſſe, then, that it could be in a Biſhops power againſt himſelfe, to make vſe of the materiall ſword, which was aſsigned to his cuſtody. Hee tells *Dunſtane* in the ſame ſpeech after-

ward, That it was he that committed this truſt to the Biſhops care, that ſhould chaſtiſe offendors in deed, But how? *Epiſcopali cenſura, & authoritate regia*, by the Epiſcopall cenſure, and the Kings authoritie. *Gregory* the ſeuenth was not yet awake, who putting two ſwords into one ſheath, entends nothing more, then to driue Princes out of the field, with their owne weapons.

But howſoeuer ſome weake Soueraignes, that receiued their authoritie from God for terme of life, haue notwithſtanding bene content to hold it of the *Pope* at will; this barres not others of a quicker ſpirit, to examine euidence concerning the point of right before they ſuffer themſelues to be concluded in the Court of equitie. Subiects that are duetifull, and not apt to be tranſported from their Faith with euery blaſt of ambitious ſpleene, cleaue faſt to the foundation which is the band of obedience, not voydable by ſtrong intruders, nor partiall interpreters. I confeſſe that a godly Paſtor ought chiefly to prouide that *Chriſts* humble Sheepe ſhould bee foulded in due ſeaſon, and ſafely guarded from the perſecution of Wolues: but the ſheepe for their part alſo, ought to be as cautious, that a Wolfe be not the Belweather: which hath happened as often in many Churches, as the Biſhops out of their affections and Wreakefull paſsions haue been Authors of a farre greater effuſion of blood, then Heretickes or Infidels out of their malignitie. Further, if we may giue credite to that ſtrange viſion which *Zo-*

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Zonen in his hiſtorie reports, There aroſe a queſtion not onely among Doctors vpon earth, but euen among Saints in heauen, what courſe was beſt to be taken with *Iulian* the renegate, notwithſtanding his apoſtacie, in reſpect of place: and yet of both I preſume, that M. *Garnet* held him a man of worſe condition and affection towards God and godly men then *Henry* the fourth, whome without the leaſt gall of conſcience, or ſuppoſition of doubt the *Pope* depriued thus vnworthily.

Touching the qualitie of this afflicted and tormented Emperor, and the true ſtate of his cauſe, which was the ground and motiue of the *Popes* ſharpe choler, I neede not at this time ſay much, when much cannot be ſayd for want of time, but will leaue him with his oppoſite to their finall triall by grande Iurie at the dreadfull Barre, where the Bookes of all accounts and euidences ſhall be layd open, and ſentence ſhall be rather grounded vpon iuſt deſert, then partiall deſire: And where no man ſhalbe either charged out of the enuie of *Craſſus*, or defended by the eloquence of *Antony*. I am not ignorant of that which writers on both ſides (Imperiall and Pontificall, *Guelphes* and *Gibellines*) haue ſet downe touching *Pope* and Emperor, according to that humor which infection and diſtraction of partes enuenomed their pens. I know that a man may erre eaſily, bending too much out of partialitie or preiudice to the byas of either ſide: And I want that iuſt meaſure of diſcretion & diſtinction which ſhould leuel grounds

that are made vnequall and vneuen by diſtempered conceits: But whether the *Pope* were vexed and diſquieted with *Henries* challenge of inueſtiture of Biſhops *per baculum & annulum*, and collation of Church preferments as ſome thinke, (though many Kings, and ours eſpecially, haue had and euer challenged the like prerogatiue in their owne eſtates) or with the inſtigation of *Sigisfred* the Archbiſhop of *Mentz*, to withdraw ſubiects ouerhaſtily from their ordinary reſort to *Rome*, as others write; though this hath bene the caſe of ſome other Princes in like ſort, that eſcaped thunderclaps: or whether *Henries* meane account of the Popes admonitions, or his preparation to withſtand force with force, put the *Pope* into choler, as other Emperors haue done oftentimes, both before and ſince, with more eaſie penance for ſuppoſed pertinacie: Whether all theſe or any one of theſe occaſions gaue fire to the traine, though I preſume not to reſolue, yet I may bee bold to conceiue in my owne opinion that the medicine was ouer ſharpe and violent for the malady. True it is, that the grudge of *Gregory* to this Emperour began firſt to feſter in his heart a good ſpace before, in reſpect of the countenance and ayd which *Henry* gaue to *Gibert* biſhop of *Parma*, choſen *Pope* by the Cardinals on that ſide of the *Alpes*, with oppoſition vnto *Alexander* whom *Gregory* that was then but an Archdeacon, highly fauoured.

But ſuppoſing all were true that either colourably

ably or iuſtly hath bene giuen out in this cauſe for trueth, I deſire to learne of ſome graue doctour, whether theſe poore motiues were proportionable to the *Popes* glowing indignation, which ſhutting his gate againſt the Emperour, (I will not ſay vnciuilly, but vncharitably, that came barefoote in a bitter froſt to witneſſe true contrition of heart, for ſatisfaction to wrath:) ſet vp a Competitor againſt him in *Germany*, while he was labouring by this painefull pilgrimage to *Rome*, to worke a perfect reconcilement with the *Pope*; and to write to the party oppoſite (leaſt they might ſhrinke vpon thoſe ſhewes of friendſhip likely to enſue betweene the Emperour and him) that he would ſend him back, as he would vſe the matter, *culpabiliorem* more culpable, and by conſequent, more ſubiect to their violent aduantages.

Nay which is worſt of al, after peace and friendſhip, & abſolute forgiueneſſe of offences ſworne, and the Sacrament receiued by the Emperour, (for the better aſſurance of the league intended at the *Popes* owne hand) to arme his ſonne againſt him in the field, vnder the pretence and maske of zeale, *vt nomen Auguſti ab hæreſi vindicaret*, that he might redeeme the title of *Auguſtus* frō the blot of hereſie: For to this center all the lines of the *Popes* diſguiſed exceptiōs may be drawn, & in this gulfe they vaniſh: as if no man could embrace a ſound beliefe, vnleſſe he had a ſeruile heart: as if all that oppoſe againſt intruders were heretickes, as if it were not lawful for the Emperour to ſet vp a trauerſe

uerſe in the Church, ſo long as he reſolued to exclude the *Pope* from competition to the Chaire of ſtate: or as if the ſuppoſition of hereſie at large without conuiction of any point hereticall, againſt the Canons of the Church by proofe, were a common Gaole, wherein the *Popes* cuſtome is to lodge all Chriſtian Princes, that by contradiction to partiall demands vpon iuſt grounds, are condemned as his caſt-awayes.

Laſt of all, I would know where the *Pope* learned to forgiue *culpam*, but not *pœnam* to a Prince that in the ende was more willing to ſolicite vnion, then to ranckle hate; Or where he learned to diſtinguiſh betweene reſtitution to grace, and Maieſtie, by ſuſpending that part of his fauour that might put him into poſſeſsion of his owne lawfull intereſt. I finde by *Sigibert* the *Abbot* of *Gemelack*, that in his time it was holden *hæreſis nondum in mundum euerſa*, that the Chapleines of that powerfull God, that oftentimes makes hypocrites to reigne *propter peccata populi*, ſhould caſt the rod into the fire, before that faults were chaſtiſed according to deſerts; or by their abſolute commaunds, diſplace thoſe inſtruments, that as powerfull executioners of heauenly Iudgement are to diſcharge the duetie which is layde vpon them.

But howſoeuer *Gregorie* might in thoſe dogge dayes ſcorch an Emperor by the combuſtion of beames that *ex diametro* were oppoſite, by the ſtrength of a partie rayſed by aduantage of the time,

time: yet by ſucceeding tokens I obſerue, that God was iuſt, though *Popes* were humorous. For one of thoſe Arch-traytors whome the *Pope* erected out of paſsion, and ſupported out of pride, was ſlaine afterward at the winning of a Towne; another in the field, though (as one writes) not impenitent for his trecherie. The *Pope* himſelfe worne as it ſeemes with vexation and ſtrife, liued not many yeeres; and hauing left his point in this Prince, was neuer able to any great purpoſe to ſting afterward. The mutinous and rebellious Biſhops (that hauing oppreſſed and reſiſted by the *Popes* direction) neuer held vp their heads after the fatall blowe which they receiued at the *Synodes* of *Mentz* & *Wormes*, but were either ſlaine by their owne ſheepe, or periſhed in the mountaines by a moſt hard deſtinie.

Walran Biſhop of *Megburghe* writing to a *Germane* Counte, giues a very iuſt cauſe of this concurrence in malignitie of ſharpe accidents: For ſince by reſiſting power (ſaith the Biſhop) they reſiſted God, it was not poſsible for the ſucceſſe to be better. *Platina* reportes, that in the very *interim* while the *Pope* was as yet aduiſing and conſulting about the beſt courſe to be taken with this diſcontented Prince, ſome wiſer then the reſt, were of the minde, *Regem non ita citò anathematiſandum*, That a Prince was not to bee accurſed in ſuch poſte haſte. But oppoſitions were idle, the *Popes* heart being wholly ſet vpon reuenge, and ſupporting his whole proceſſe with the Commiſ-

ſion which CHRIST gaue to *S. Peter* to feede his ſheepe, that is, to teach and inſtruct the Flocke: for I make as great difference betweene inſtruction and deſtruction, as betweene feeding and ſtrangeling, though by the very forme of the ſentence, (as it is ſet downe againſt this Emperour) it be manifeſt that *Gregory* commandeth *S. Peter* and *S. Paul*, as if they were his Bailiffes-errant, to execute the Writts of his Pontificall and priuatiue authority.

Touching the charge of abſoluing Subiects from their oaths, which is the chiefeſt inſtrument by which the Canon *Nos Sanctorum* workes in ſeeking to ſubuert the Seats of Kings vpon ſuch grounds of quarrell and exceptions as may bee made, I will chiefly note, That *Gregory* doeth in this caſe aſſume more to his dignitie by deputation, then GOD himſelfe doeth to his Deitie by prerogatiue. For admitting oathes, to be lawfull, voluntary and without derogation from right (as thoſe are which we make to Princes as becomes) he concludes al their Miniſters that dare preſume to violate faith engaged vpon thoſe due reſpects, within the compaſſe of perimy. The promiſe which GOD makes to man in ſwearing by himſelfe, he will not (though it tend to the quicker and the iuſter puniſhment of ſinne) releaſe vnto himſelfe; and yet ſhall we thinke that the promiſe which was made by a ſinner to him, can be releaſed without him? *Frater non redimet, redimet homo? non dabit Deo placationem ſuam & pretium redemptionis*

tionis animæ ſuæ, as we may conclude in this caſe with the Prophet. Though God were ſo iuſtly mooued with diſpleaſure againſt man, as he ſeemed to repent his owne free grace in planting an ingratefull ſtocke in a barren ſoile; *Et præcauens in futurum, & tactus dolore cordis intrinſecus*, which inward wound might very farre prouoke the wrath of a Creatour againſt his creature: yet in reſpect of his word engaged, from the beginning of the world, That the bleſſed ſeed of a woman (whom all generations call bleſſed) ſhould bruiſe the ſerpents head; which myſtery was to be wrought with effect *in plenitudine temporis*: He would not diſpenſe with his owne promiſe, but ſuffered the purpoſe of free grace to bee caried vpon the wheeles of eternall prouidence, to the prefixed periode of his owne benignitie. The grieuous ſinnes of the Prophet *Dauid* and of his off-ſpring, prouoked Gods wrath iuſtly to wipe both the bloſſomes and the root, out of all grace and mercie: and yet in reſpect of an oathe taken long before, that an heire of his line ſhould neuer want, to keepe his Throne, it pleaſed him for the making good of his owne promiſe, to remit his diſpleaſure.

The greateſt hope of encouragement that Gods people could draw from the Prophet *Samuel*, when they implored his aſsiſtance in diſtreſſe, was this, That God hauing by a ſolemne oath ſelected and in a ſort impropriated that Nation as a choiſe people to himſelfe, would neither

exclude them out of protection, nor leaue them to fury.

The rule of Gods owne direction is very ſtrict, That if any man hath made avow to God *& ſe iuramento conſtrinxerit*, and bound himſelfe by oath to keepe the ſame, it ſhall no longer be in his owne election to make it voyde, but he ſhall performe preciſely what was deliberately promiſed. It is not vnknowen to any man of vnderſtanding, what the Law ſets downe concerning the redemption of Vowes vpon iuſt cauſe in the preſence of the Prieſt, and at ſuch a rate as the Votarie, according to the meaſure and proportion of his meanes, is able (without vndoing) to afford. Againe, all men vnderſtand that vnlawfull vowes and oathes, (as that of *Iephthe*, *Herode*, and many other raſh proteſtors of like ſort) force not the point of conſcience in the leaſt degree: But when we take an oath aduiſedly and freely, according to the meaſures and conditions limitted and expreſſed in the Law of God, that is, according to iudgement, righteouſneſſe, and trueth; yea, though it be by duetie to a wicked Prince, *Ezechiel* will teach vs by the warrant of the holy Spirit, That God himſelfe will nayle vpon the head of the Periuror, the oath which he hath ſet light, and the couenant which hee hath perfidiouſly broken.

By the reaſon which *Pope Gregorie* makes his warrant of releaſing the Subiects oathes to *Henry* the fourth, the Prophet *Hananias* one of the high

Prieſts

Prieſts for the time, might aſwell haue diſpenſed with the othes of Gods people to *Nabuchodonoſor* an infidell, and an Idolater. But God himſelfe condemneth all Prieſts and Prophets that by falſe hopes went about to eaſe the peoples burthen before the time prefixed for their penance by his impoſition: and the dayes of *Hananias* the falſe prophet were cut off for his flattery. Wherefore as the boldneſſe and preſumption is very great in any mortall man to diue ſo deepely into the ſecret myſteries of prouidence, as to iudge at what time, in what perſon, vpon what condition, or by what warrant one ſinner may releaſe another of his oathe: So likewiſe the Charter which the Schoolemen in the *Popes* behalfe pretend vpon this clayme, muſt vndoubtedly bee very weake, whenſoeuer they ſhall vndertake without aſſurance of Gods certainely reuealed will, to diſcharge the conſcience of man engaged by election, and obliged with ſolemnitie. The Schoolemen ſhall neuer be able to make cleare proofe by any ground out of either Teſtament, by any Canon of the Councels primatiue, nor any of the Fathers, liuing in a purer ayre then ours, (howſoeuer they deuiſe diſtinction vpon diſtinction, rather to entangle then to ſettle faith) that his doctrine of accurſing Princes vpon light occaſions, of releaſing oathes, or depoſing Magiſtrates, is conſonant to thoſe principles of obedience and patience which our Sauiour left to his Apoſtles, and they like *heirelomes* to their ſucceſſors. If it

be cleare by Saint *Matthew*, that our peace ſhall returne vnto our ſelues, when they to whom we wiſh the peace, declare themſelues vnworthy of our wiſh: vndoubtedly as true it is, that our curſes ſhall recoyle vpon our owne heads, (and that worthily) when they that are within the boſome of the Church, (which is the houſe of God) declare themſelues vnworthy of the curſes which without deſert we caſt vpon them. For as it is a queſtion well moued in this caſe of *Balaam*, *quomodo maledicat ei cui non maledixit Dominus?* ſo is it as diſcreetely noted by S. *Gregory*, that *ligandi et ſoluendi poteſtate ſe priuat, qui eam iniuſtè exercet:* he depriues himſelfe of the power of binding and looſing ſinnes, that ſeekes to practiſe without grounds, that may be iuſtified. *Origen* writes excellently, that where the motiues of ſharpe ſentences are vniuſt, and not able to endure the touch of due regard, he that is caſt out, goes not, *ſed qui manet intus, excluditur.*

It was not in the power of the Prieſt by the law of *Moyſes*, to make him a Leper that was cleane, but to iudge (by ſearch) whether he were cleane or not: And therefore S. *Auguſtine* may more confidently deliuer his owne concluſion, That raſh iudgement hurtes not the perſon *de qua temerè iudicatur, ſed ei qui temerè iudicat.* The reaſon may be drawen out of another of the ſame ſuite, *quia dum volumus per iram aliena coercere, graviora committimus:* in ſeeking to correct the faults of other men in paſſion, our ſelues commit faults that

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are greater for want of charitie.

Therefore I conclude, and that *Magistraliter* as the Schoolemen speake, out of the very Canons themselues, *manere Petri priuilegium, vbicunque fertur ex ipsius æquitate iudicium*: That *Peters* priuiledge doth cõtinue so long as the sentence is pronounced out of *Peters* equitie, and not otherwise. To that caution put in by *S. Gregory* out of scrupulositie of conscience, *Vel iniquam Iudicis sententiam timendam*, that the sentence of a Lawfull Iudge ought to be feared, (yea, though it be vniust) We may giue a reasonable answere, by restrayning that feare to such a kinde of modesty and tendernesse, as being euer apt to suspect frailty in it selfe, shall offend lesse by searching sinne with too deepe, then too short an instrument; and by supposing out of the sense of an humble spirit, that all men are more apt to flatter themselues in the wayes of their owne errors, then a learned, discreet and religious Iudge to censure without a iust occasion.

A wise man that desires to preserue his health, receiuing pilles from the hand of his Phisician, who vnderstands the state of his body out of knowledge, and experience, much better then himselfe, presumeth at the first impression, that some humor may offend either in quantitie or qualitie which deserues correction, though hee know it not: but after calling to minde vpon aduised obseruation, that his appetite is ordinary, his temper perfect, his digestion strong, and all those

thoſe other circumſtances, which the learned in that faculty regard, ſutable to a perfect conſtitution and ſtate of health, he beginnes to apprehend (by oppoſing the ſenſe of his owne parts to his doctors aime) that men though graue and learned otherwiſe, may erre either by miſtaking principles, or giuing too light eare to falſe informations, which are rightly termed the ſpectacles of error. For GOD doeth onely ſearch the hearts and reines, and therefore onely knowes truely with what ignorance or skill the plaiſter is applied to the part either feſtered in deed, or for want of a ſound iudgement (in thoſe that take vpon them as his Vicegerents to deſcerne) ſo deemed of. GOD hath pronounced in his word, That *ſpiritus hominis tantummodo*, the ſpirit of man onely knowes thoſe things which are in man, and the Spirit of GOD alone thoſe things which belong to GOD: and therefore *de occultis vel de male intellectis*, that ſpirit which onely breathes in the Noſtrels of mortall men, can neither diſcerne nor iudge infallibly. But if any man obiect, that *Popes* proceeding againſt Princes, arme themſelues with ſufficiencie of proofe, before they come to reſolue to the defendants preiudice: I anſwere, That preſumptions too farre carried in the ſcope of paſsion, haue cauſed many *Popes* to erre againſt Emperours in the acte of proceſſe. And leaſt we ſtray too farre in ſeeking an example, euen this *Gregorie* the ſeuenth condemned *Henry*, *Cauſa inaudita*, before the cauſe was heard,

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as ſome Writers of that age teſtifie. That rule of equitie which warrants orderly appeales from Iudges ill enformed, to Iudges grounding ſentence vpon proofe aboue exception, in matters of leſſe weight then this, hath beene currant in all policies and times: For, *Lex iuſto non eſt poſita.* And howſoeuer for the maintenance of order, outward formes are to be kept with moderation and reuerence; yet to the ſoule of man, the conſcience ſtandes for a thouſand witneſſes, and is in very deede the trueſt touch. And therefore for my owne part I ſhall neuer taxe that Patient, that priuily, and without diſgrace to the Doctor, throwes the pilles out of the window which are ſent, if from certaine and vndoubted knowledge of his owne inward ſtate, he be ſure, that for the reparation of health, or for the cure of a ſuppoſed ſickneſſe, his body hath no neede of them.

I ſtande the longer vpon ſatiſfaction to this place of *Gregorie*, becauſe it is oppoſed in defence of all erring Iudges, to the ſnaring (or at the leaſt to the frighting) of thoſe ſoules that are oftentimes moſt timorous, becauſe they are moſt innocent. But in the meane time, note that this godly Father releaſed no Subiect of his oath in point of duetie: He accurſed no Prince in the Chaire of Royaltie: He confounded no State by extent of Primacie: but knew very well how eaſily a Iudge may erre by ſtrong imagination, with *Gad* in the booke of Iudges, miſtaking *capita hominum*, *pro vmbris montium*, the heads of men, for the ſha-

dowes of hilles, *et hoc errore decipi*, and by this error be deluded and daseled.

The Chapter of *Liege* vtterly reiecting this release of oathes and fealtie, might be moued with many grounds. First, because the breach of a lawfull oath (as hath bin iustified before) falles into the compasse of a mortall sinne: Againe, because many of their predecessors were departed to God in peace of conscience, that till the last point of life obserued their oath; whose example they had small reason to vnder-value. Furthermore, they alledged, and not without iust cause, that supposing this Emperor as impious as the sentence did import: yet it became them no more then *Zedechias*, (till the fire of correction had eaten out the rust of sinne) to withdraw their neckes presumptuously from the yoke of *Nebuchadnezzar*. I conclude this point with a fit example of the wisedome of our Kings in former times, drawen out of the Cabinet of most ancient Records: For nothing could giue them satisfaction touching the Loyaltie and fidelitie of their owne Prelates, till they had inserted into the oath of homage these words, *In verbo veritatis*, (which bindes conscience) in place of former wordes of an elder date, *Saluo ordine*, which left Churchmen in effect to their owne libertie. For it is free, saith an old *Romane* Catholicke, *Iohannes de Parisijs*, for any lawful Prince to repell the violence of the Spirituall sword, by the best meanes he can, finding that it tendeth to the disturbance of the

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Ciuill State, *cuius cura incumbit Regi*, the care whereof belongeth to the King; or els he ſhould beare the ſword idlely.

But now to make the beſt vſe that the fitneſſe of this occaſion offers vpon the worſt motiue that euer was heard of among men before this accident; and to make all men ſee that haue either eyes of vnderſtanding in their heads, or the feare of Gods Iudgements in their hearts, how raſhly our late vndertakers (to ſteere *Peters* ſhip in our narrow ſeas, M. *Garnet* being one of the chiefe Pilots) haue run her vpon the rocke of Rebellion, neither looking to the Carde of Conſcience, nor regarding the Compaſſe of Faith: I deſire that certaine obſeruations may be kept in memorie, as certaine Monuments of Gods powerfull workes were in *Iſrael, tanquam ſigna prædicantia*, that is, forewarning ſignes and Cautions for abſtinence, to giddie Male-contents in future times: which otherwiſe vpon the motiues of like miſchiefe may bee metamorphoſed into figures of like inhumanity; for an Angel ſaid to *Tobit*, That to publiſh and reueale the workes of GOD, is laudable.

I know that ſtrange things happen oftentimes by accident, (ſo farre as the vveakeneſſe of our ſenſe is able to apprehend) though trueth aſſure vs, that vvithout the prouidence of God no ſparrovv lights vpon the ground; And *Pericles* iuſtly maketh fortune to bee nothing els but *Veræ cauſæ ignorationem*, our ignorance of the proper and

true cauſes of all things: But yet vvhere a vvilde boare by rooting in the ground doeth not accidentally expres one A, but addes to that ſo many letters in due courſe as preſents this whole vvord *Agamemnon* to the readers eye; where a man doth not caſt three quaters vpon three dice, but three thouſand quaters vpon three thouſand: & where order vvhich proceeds from reaſon and election is kept in coherent formes, chance hath no ſtroak of predominance by the right grounds of Philoſophie. Wherfore no man can tel vvhether ſome of thoſe confederates aliue (becauſe I dare not ſay that there are none) looking backe as it vvere from the ſhore vpon the rockes and quickſandes vvhich they eſcaped in this ſtorme (calling to accompt the bad ſucceſſe not of one or tvvo, but of all their many counſels, labors and euents in this luckles action, keeping in mind that obſeruation among the *Galeniſtes*, that where al ſimples worke againſt their kinde or propertie the cure is deſperate,) finding our *Hieruſalem* to bee built as a Citie, *Cuius participatio in idipſum*; marking that our gracious, our iuſt, and beſt deſeruing King (ſupported by Gods Angels, vvhich are *Spiritus adminiſtratorij in miniſterium miſſi propter eos qui capiunt hæreditatem ſalutis*,) doth dvvell in *Adiutorio Altiſſimi*; and that it is in vaine to vvorke vpon a Monarchie, *Cuius cor eſt vnum & anima vna*, vvhoſe heart and ſoule in the point of obedience is one, and the ſame: wil returne to the reſolution vvherin they ſtand ingaged by the lavves of God, and

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of their ovve natiue ſoyle: giue eare to the voice of their ovvn ſhepheard, and acknovvledge humbly vvith *Iacob*, that *Dominus erat in loco iſto, & ipſi neſciebant:* God vvith the mightie protection of his povverfull hand vvas in this place although they knevv it not.

Firſt therefore I obſerue, that vvhen you Maſter *Garnet*, and your practiſing diſciples layd a packe together for a proiect of inuaſion, againſt the late Queene, and in her later daies vvith hope to put out a fluſh of princes with a prime of Iacks, vvhich vvil neuer ſtand in this ſtate (I truſt) vvith our right game of *primus ero:* God tooke avvay this Ladie in her ripe and mellovve yeeres, vvhen her head vvas vvhite vvith the bloſſomes of the Almon tree, as he did *Ioſias*, *Ne videret mala quæ euentura erant:* leaſt, ſhe ſhould ſee the miſchiefe vvhich vvas likely to enſue and had folovved vndoubtedly, (as men vvere reſtrained from the certaine knovvledge of the only rightfull Succeſſor) if the *bonus Genius* of our deare Soueraigne had not through the preparation of ordinary means, and inſtruments by ſupernal grace eſtabliſhed this ſtate in the full fruition of their long laſting ſecuritie.

The Buls which by the practiſe of you & your *Catiline* the liuely image of your heart, ſhould (by lowd lovving) haue called all his calues together vvith a preparation to hande againſt our Soueraigne, at the firſt break of day, and to haue cropped thoſe ſvveet oliue buds, that enuyron the re-

gallfeate, did more good then hurt as it hapened, by calling in a third Bull, vvhich vvas *Bull* the Hangman, to make a speedy riddance & dispatch of this forlorne fellovvship.

In the time of *Henry* the sixt, *Humfrey* Duke of Glouster, finding certaine Buls that came from *Rome* to bee very preiudiciall to the Kings estate, vvithout asking leaue of any man, cast them roundly into a bonefier. The late Queene of happy memory entertaining the Bull which *Felton* set vpon the Bishop of Londons gate, with the same or greater distaste, because the drift was to embase her title and transport her Crowne, gaue it as quicke dispatch by like destiny: And Master *Garnet* thought his Buls as worthie to be sacrificed in a quick fire as any of the rest, for their idleneese and weakeneese in effecting what was wished, and expected by the friends that inuited them. These Buls master *Garnet* were *Cornupeta*: you were warned by the state to shut them vp, in respect of the mischiefe that they meant: you regarded not the prohibitions of Lawe, but gaue them scope of grazing in certain grounds, where the markes of their impressions are visible. If this be denyed, *Catesby* your apt Scholer and choise friend shall charge your conscience, who drewe from the direction of these Buls that shrewd argument, That if it were lawfull to keepe a right heire from his kingdome, in respect of conscience before establishment, it was as lawfull to remoue him after he were established. The wisedome of

the

the holy Ghoſt ordaynes that *Bos lapidibus obruetur ſi occidetur dominus*: though we leaue all to the laws ordinance, and his Maieſties good pleaſure. But whatſoeuer happens in the proceſſe, I muſt confeſſe that Bulles haue little reaſon to require a *Mittimus* into theſe partes, ſince neither their acceſſe is acceptable, nor their ſucceſſe fortunate. The point whereat I wonder moſt, (in reuoluing theſe ſtrange euents) is, That the Bulles which were conſumed into aſhes at *White Webbes*, ſhould be brought foorth this day to bee bayted at the *Guildhall*.

At the Kings firſt entrance into this happy State, with as great ſecuritie and eaſe, as if he had remoued after an ordinary faſhion from London to Greenewich, and from Greenewich to Hampton Court, the moſt expedient deuiſe for the diſturbance of the general applauſe (which entertained *noſtrum Salomonem pacificum* with a kind of ioy and cheerefulnes vnſpeakeable,) as was conceiued by the brotherhood, was to awake the purpoſe of Inuaſion, that ſlept in fortaine partes, by a ſet meſſenger employed. But though *Venus* had commended this petition by letter of requeſt to *Mars*, it would not haue bin heard, God hauing then prepared and diſpoſed the mindes of Princes on both ſides to ſuch a Peace, as could admit neither ſecret operation, nor open execution of hypocriſie. This was not by the methode of Diuine proceſſe, *eligere infirma vt confundat fortia*: But this was rather by the ſpirit of *Achitophels* ſuggeſtion,

ſuggeſtion, *abuti fortibus vt confunderentur omnia.* But thankes be to GOD, the Lion is aliue, out of whoſe mouth you muſt haue drawen your dropping hony combe, before your riddle could haue had either the grace or the ſucceſſe which you deſire among our conſpiring *Philiſtines:* So that we only finde your fixed truſt in tumult and vexation, (as the Prophet ſpeakes,) in ſtead of that hope and ſilence which ſhould haue been your ſhot-ancor.

Your ende was by poſſeſsing Princes with the motiues of your malice to ſtirre compaſsion; becauſe it happens often that exhalations dawne vp to the heigheſt Region by the beames of the Sun are there enflamed, and ſent backe againe with a fiery effect: But *multi committunt eadem diuerſo crimina fato*. A great Philoſopher obſerues to the ſame effect, that *Proſperum ſcelus virtus vocatur:* And tunably to this conſort another, that though the fact and entent were one in both, yet *Ille crucem ſceleris pretium tulit, hic diadema.* But in this caſe by the goodneſſe of God it fell out quite contrary; for the princes being as weary of warre, as you were of peace, deſiring aſmuch to ſpare blood, as you to let it out; and regarding more the grounds of their owne diſcretion, then the ſtormes of your paſsion, ſent away your ſecond *Mercurie* with a flie in his eare, and inſteade of procuring treaſure and ſupplies, were content to learne (by the ſcope of this employment,) that ſome profeſſors of the Catholike religion, had other veines wherein to exerciſe

exerciſe their inuentions and meditations beſide the repetition of the *Roſarie*, which without ſo manifeſt a proofe, perhaps they would either not at all, or not ſo eaſily haue credited.

The conſpirators could not deuiſe amore likely motiue of attraction whereby to draw *Malecontents* and *boutefeaux* into the miſchiefe which their malice did intend, then by whiſpering into the eares of ignorant and ill aduiſed Catholicks, that his Maieſtie had violated a former promiſe made to ſome of them before, of toleration in point of conſcience: For eares that itch after light reports, & minds that enterpret cõmon feares in that ſenſe which tendes to their priuate harme and preiudice, (conuerting for the moſt part to rancke poyſon whatſoeuer is prepared by the beſt affections to kindle nutriment) take hold of the firſt ouerture. But for preuention of this perill, GOD ſo wrought, by diſpoſing times and accidents to beſt effects, as before the poyſon could pierce to the ſecret of mens thoughts, *Watſon* the Prieſt had confeſſed to my ſelfe (ſent from his Maieſtie to the gaole at *Wincheſter*, for the finding out of the firſt Author of this lewd report) not paſt one day or two before his death, (at which time no man is preſumed by the Ciuill Lawes to lye,) that hee neuer could receiue any ſparke of comfort touching eaſe of conſcience to Catholickes from his Maieſtie, how vniuſtly ſoeuer the world had made him Author of that ſcandale; though withall he added how vnwilling he had

bene to vtter the Kings anſwere to the Catholicks at his returne in his owne wordes, and with thoſe incurable obſtructions, (which appeared by the maner,) for feare leaſt ouergreat diſcouragement might make them deſperate, and driue them to ſeeke other helps, as ſome did, which this action makes euident.

Beſides, there are in *England* ſome Recuſants at this day, that for a need both could and would auow the like report of *Percy* after his returnes out of *Scotland*, both before and after the Queenes death; aduiſing no man to depend vpon the leaſt conceit or apprehenſion of hope frō thence, but make the beſt ſhift they could deuiſe for themſelues: for in the point of conſcience hee found the Kings intent and finall purpoſe to bee peremptory. By this plaine dealing many were depriued of their beſt aduantage of improuing this ſhrewd circumſtance, both as a colour of exception, and a maske of conſpiracy.

The practiſe was begun with Auricular confeſſion, as the ſafeſt locke to which men durſt aduenture to commit a ſecret of this weight: for who could hope to draw that from a Confitent or a Confeſſour in reſpect of ſafety, (beſides cenſures of the Church,) the perill reaching and extending to the loſſe of life? But by the ſtreames of *Iordane* running backwards to the drowning of the worſt diſpoſed part, it came to paſſe that by the words which paſſed betweene *Greenewell* and *Bates* (*Catesbyes* ſeruant) in confeſſion vpon the horror

horror of his conſcience againſt ſo foule a fact, thoſe circumſtances happily fell out, which being brought to light, made a faire introduction into that full diſcouery which the Lords laboured. It may be thought that GOD himſelfe abhorring the falſhood of a Prieſt, (that vnder the colour of the keyes, abuſing both his perſon and his power, is not aſhamed to contriue Conſpiracies ſo much more perillous & peſtilent, as they are countenanced with a more holy ſhew,) hath ſet a marke of his owne Wrath both vpon the Matter and the Miniſter. For the patients are oftentimes beguiled in iudging by taſte the qualitie of the ſimples, and ingredients which they receiue, *decepto ſenſu cum iudicio*, the iudgement of the ſenſes being firſt deceiued, *et corruptis organis*.

It is cleare, that for the ſecreting and concealing of this purpoſe (till by progreſsion it might be ripened for the deſired end) the ſeale of the ſacrament of Vnion was ſette to this contract of blood, as if GOD would bee put in truſt with the keeping of theſe prophane bands and obligations of conſcience, againſt the rule and Canon of his owne written Law, *quæ verſatur tantũmodo in bonæ fidei Iudicijs*. But we that know what deſperate effectes vnworthy eating of the Sacrament, and the preſumption of bearing the ſtandard of our Sauiour in open fielde againſt himſelfe, haue wrought in mindes polluted with impreſsions of ſinnes, that are voluntary and premeditate, will not greatly wonder at the badde ſucceſſe of this

coniunction, calling to mind that the first worke of *Iudas* after the receiuing of the soppe, was to betray his Master, and the next to hang himselfe; and in such a maner, *vt creparet medius & effunderentur eius viscera*, that he brake in the middle, and his entrailes came out of him.

The purpose of these Gallants in binding faith and promise one to another by solemne oathe, (though *Demens est qui fidem præstat errori,*) stood vpon the distrust that one reposed in anothers loue & moueleſſe cõstancie, holding themselues as sure after such seale of the contract, as *Seleucus* did himselfe in the speculatiõ of a city to be built in the ayre aboue the reach of the capacitie or wit of man: but yet experience reueales, that the hands of *Madian* haue fought against themselues; the voyces of *Babel* haue confounded their owne Plots, and these forlorne hopes like the Knights of *Cadmus* (as appeareth by the scope of their own confessions) *mutuis conciderunt vulneribus*, haue bin wounded to death one by another.

The course of Mining into the strong wall of the Parliament, was in very deede more laborious and slowe, but yet more sure and secret then the latter by the Vault, in case the Pioners had proceeded resolutely according to the plot of the first deuise: for preuention of which almost inuitable stroke, the Cellar was set open euen in the very heate of their endeuour, as it were by the handie worke of God himselfe; and not onely set open, but almost miraculously put into their

hands

hands by a faithfull ſeruant of the Kings, whoſe ordinary caution could not poſsibly haue bin ſo farre ouerſhot, without an inward working and continuing fauour from aboue, which tooke hold of the feete of ſinners in that very ſnare that they had prepared and ſet for thoſe that were moſt innocent. They flattered their owne conceits ſo idlely (but yet ſo farre with the facilitie of working vpon this vnexpected ouerture,) as if it had bin the will of God, that to them as to *Iacob* hunting for his pray, *occurreret quod volebant:* But on the other ſide we may obſerue with ioy and comfort, That though they watched eagerly with *Eſau* for thoſe dayes of mourning, wherein the death of *Iſaak* might prepare a way for their moſt bloody and moſt violent reuenge, like Rats betweene the hanging and the wall *ſuo perierunt iudicio,* they were firſt betrayed, and afterward periſhed by their owne diſcouery.

Their ſplene was euen *Sæuire in Saxa,* bent againſt the walls & houſe of Parliament, as an inſtrumẽtal cauſe for producing many ſharp lawes, for the ſpace of more then fortie yeres againſt the religion, which their owne diſguiſed affections did eagerly embrace, with a purpoſe to conuert *Hieruſalem in aceruum lapidũ* into a heap of ſtones. Thus *Polymneſtor* ſtriken blinde (out of rage againſt *Hecuba*) ſought to murther all the women he could meet. Thus *Fuluia* by thruſting needles into the tongue of *Cicero* (after hee was dead) ſought reuenge of his ſharpe inuectiues againſt

Anthonie: And thus *Anthonie* himselfe warred against the walles of the *Senate* house at *Rome* after *Cæsars* death: but yet the place is as it was, the benches stand as they did, and they that sate on them haue the same affections which before they had: inforced perhaps by this late more then *Neronian* attempt of endangering both their soules & bodies at one blast, (for want of time to call for grace) to strike a deeper wound then any of their Ancestors had done before into the cause which the scope and drift of these vndertakers pretended by their inuentions to rectifie. The *Romane* South-saiers had reason to diuine, that whē Buls, bandogs and asses, (which are beasts created for obedience and vse) grew mad vpon a suddaine, and without a certain cause, *Bellum seruile immineb at*: and of this composition was the late packe of Rebels, that with the same barbarous inhumanitie which was well obserued at the ruyne of *Saguntum, nihil reliqui fecerunt vt non ipsis elementis fieret iniuria*: left nothing vndone for their parts to wrong the very elements. I grant that they might learne their art of building muddie wals of the swallowe, vvhich are but Sommer birdes: and their skill in weauing cobbe-webbes of the spinners, whom *Minerua* hated: chiefely, Because their workes were more laborious then durable, and most commonly swept away before they come to finishing. But this trick of subuerting and demolishing, they could not learne better then of the *Montanists*, *Qui non laborabant* (as *Tertullian* reports)

ports) *vt ædificarent ſua, quàm vt deſtruerent aliena*, to build their owne, as to deſtroy other mens *Heu genus inuiſum ſuperis!*

The traine of powder was layd onely for true men by wicked traitors; to this end chiefly, That after innocency had endured, malice might inſult, That, *Cùm ſcelera proſunt, peccat qui rectè facit*, and conclude with the ranckeſt *Athieſts* of our time, a preiudice of Gods anger againſt faithfull Subiects, out of the barbarous effects of their owne villany: For this argument is vſed in defence of the ſlaughter of the laſt *French* King. But as wee finde iuſt cauſe to reioyce thus farre with *Sidrach, Miſach* and *Abednego: Nihil poteſtatis in noſtra corpora habuiſſe ignem*: That the rage of the fire had no force or ſtrength againſt our bodies, Gods Angels comming downe of purpoſe, both to diſperſe the flame, and to infuſe in lieu thereof *ventum roris flantem*, a coole winde of milde aire breathing, to ſlake waſting heate, *Vt neque eos contriſtaret ignis, nec quicquam moleſtiæ inferret*: as it could neither make them ſadde, nor offend them any way: So on the other ſide God wrought ſo powerfully in this particular, (to giue a taſte and a feeling to ſome of the chiefe Traitors of thoſe endleſſe flames, that in another world ſhall neuer ceaſe, without contrition and confeſsion in this,) as in the chiefeſt puzell and perplexitie of their ill thriuing practiſes, they were blaſted by the rage of their owne Gunpowder.

Thus

Thus *Alexander* the sixt and his darling *Borgia*, the onely monster of that age, were poysoned by error of the Cup-bord keeper, out of the bottels that were kept in store (and by *Cæsars* owne appointment) against supper, for the destruction of certaine Cardinals. And thus it happens many times (Gods Iustice farre surmounting mans capacitie) that those instruments which wee select for execution of malice, serue for the protection of Innocents, *Et sæpe fugiendo mala, in maiora incurrimus.*

These *Catilines* in the raging distemper of their passion, (which meateth their owne wants *& cõmoda aliena pari dolore,*) were so desirous to draw blood euen *ad animæ deliquium*, of the Noblest, the truest and best Subiects of the State in al degrees, that had not one drop of attainted or infected blood in any veine, and to make sure worke, that there might be spare of none like the *Romane Triumuiri*, they held it safest to let out their owne, without distinction of kinsemen, allies or friends; leauing no one man of marke out of the Liste, which was agreed vpon by the Conspirators. But marke the proofe for (as *Leo* writeth to *Mauritius*) *in victoria veritatis, soli veritatis inimici perierunt*, none but the enemies of trueth did perish in trueths victory. For whosoeuer loues to diue into the waters of contradiction, whose property is, as a learned father notes, rather *vorare* then *portare*; may be sure to expect in vaine, that the hand of CHRIST which assisted *Peter* in his faith, should

ſhould ſupport them in their fraud: for betweene trueth and falſhood, aſwell the differences as the degrees are infinite.

It was holden a ſafe courſe and of great vſe for aduancement of this bloody proiect, that a faculty might be granted to ſome perſons (which in that rancke were reputed choiſe for their exceſſe in cruelty, and barbarous inhumanitie aboue all the reſt) for the calling in of ſuch other aſsiſtants and confederats, as *Non propter eximias virtutes*, but ſuch as *pares negotijs erant nec ſupererant*, and that when the ſtocke grew poore, might be beſt able to defray expences, to eaſe burthens, and aduance deſires: But it fell not out that any good grew to the cauſe by any perſon let in at this lowpe, howſoeuer their affections were bent: for *Francis Treſham* the laſt aboue, entended much, but effected little by reliefe; onely this I note, that by his paſsions and words in his firſt anſwere at the Councell board before the Lords, he left ſo deepe impreſsions both of his forefeet, and his hinder feete, as though wee could not euidently deſcry the Hare, yet wee eaſily diſcerned what courſe ſhe tooke, and thereupon the better with a full cry vpon ſo hot a ſent, purſued the game that haſted to get ouer.

No man can deny but it was in *Robin Catesby* the tricke of a craftie pate, entrounding violently the ruine of our Soueraigne, and his Royall progeny, to engage the fortunes of his deare friends, *Rookwood*, *Grant*, &c. to his hungry Creditors, in

deepe bonds, before he would impart to them the ſecret of his plot, ſuppoſing certainely, that in reſpect of their owne danger by his fall, they would be more apt to vndergoe the hazard of all euents, and rather chuſe to die with him, (though the worſt ſhould chance) then to begge after him, hauing in the meane time in their eye ſo bright an obiect of enticing hopes, That *ſumma ſcelera incipiuntur cum periculo, peraguntur cum præmio.* But as the greatneſſe and inwardneſſe betweene wicked men (according to the grounds of morall Wiſedome) is accounted rather conſpiracie then amitie; (hauing but *metum & noxam conſcientiæ pro fœdere:*) So likewiſe in this caſe, the ſucceſſe was ſutable, for one led another by the linckes of Combination to the reward of couſinage. Truſt was the trap, falſe hopes the baites; and all the fruite they could expect by trickes, was of the ſame qualitie with the grapes and Pomegranates that grew in *Sodome*, after the ruine of the towne as we reade in *Origen*, (that is) ſmelling of ſulphure, though delightfull to the eye. And euen as thoſe vpon the firſt touch were apt to diſſolue into powder, ſo were theſe vpon proofe to run into Gun-powder.

The ſcope of ſome chiefe Actor in this Tragedie (more ſenſitiue in that point of compaſſion as it ſeemes, then the reſt) was, to aduiſe a Noble Gentleman (whom in reſpect of his approoued loue and loyaltie to the King his Soueraigne, he durſt not truſt) by an obſcure Letter (more reſembling

ſembling the riddle of an *Oedipus* then the counſell of a friend) that hee ſhould abſtaine from the place prefixed at the time determined. The darke figure of the writing, the ſtrange maner of deliuering, the ſmal likelihood of any clond at that time gathering, might haue mooued many men rather to haue neglected, then apprehended ſo blinde a figure of diſcouery. But this diſcreet and worthy Gentleman conceiuing that men experienced in miſteries of State were better able then himſelfe, both to diſcerne of ſpirits, & vnlooſe hard knots, imparted this occurrent to certaine of the Priuy Councell, and they to the King, who by that Spirit of true diuination, which is infuſed into the lips of the King by God, (as the *Prouerbes* ſaie) neuer gaue ouer mining into the purpoſe of this admonition with due regarding circumſtances and preſumptions, according to the nature of the motion, till the barrels were brought into light, and order was taken to driue the diuels out of their denne, the materials out of their opportunities, and the Pioners from all poſsibilitie of effecting the Powder-workes.

The purpoſe of theſe Gallants *qui paſcuntur ſcelere*, was to feaſt their eyes with the ſight of our dead carcaiſes; for ſince they were no Doues, but Rauens, the leſſe wonder that they did *ſequi cadauera*: But now by Gods prouidence it comes to paſſe, that their limbs feed the fowles of the aire: vnleſſe, the curſe of God, the putrifaction of ſinne, and horror of the fact, mooue all the crea-

tures of GOD to loath and abhorre to looke vpon them.

The ſame ſlie ſerpent that ſeduced *Eue* (by the deceitfull bait of vnderſtanding Good and Euill) to tranſgreſſe, induced ſome of theſe (I doubt not) to vndertake more gallantly vpon hope to be reputed holy Angels in this life (in caſe their enterpriſe ſucceeded happily) or Martyrs in the next, if it fell out otherwiſe. But by euident confeſſion it appeares, that the very night wherein the Powder ſhould haue wrought the deſperate effect; either the light of reaſon, the horror of vexation, or the power of reuelation, preſented to *Robert Winter* in a dreame, the faces of his chiefe friends, and the higheſt Traitors that ſhould haue acted execution vpon the bloody ſtage in ſuch a gaſtly and ougly figure, more like to that *malus genius* which appeared vnto *Brutus* the night before his death, or the face of *Hector* that appeared vnto *Andromache*, or the countenance which they themſelues held afterward vpon the pinacles of the Parliament, then to that figure of beatitude, by which their owne phantaſticall conceits, and alluding apprehenſions were too much flattered. For it is not only true that God, as *Iob* ſayes, *terret per ſomnia*, affrights by dreames, *& per viſiones horrorem concutit*, and by viſions ſhakes the minde with horror: but beſide, this ground out of the Booke of *Wiſdome* can neuer faile, as I ſaid before, that *cùm timida ſit nequitia dat teſtimonium condemnationis:* wickedneſſe giues euidence of condemna-

demnation, becauſe it is timorous, *Et ſemper præſumit ſana perturbata conſcientia.*

While the wiſeſt in this wicked packe (vpon the diſcouery made by that worthy Lord of whom I ſpake before) began to lay their heads together, and in a ſtaggering with great vncertainty what courſe to take, ſtood with the King of *Babylon*, as the Prophet ſayes, *in biuio quærentes diuinationem*; ſome doubting, ſome ſecuring, ſome hoping, ſome deſpairing, and all ſetting the cauſe in ſuch a courſe, as in caſe *Percy* their explorator, (that was let out like a rauen, and ſent as a ſpy to diſcry by the beſt inducements hee could finde, whether the ſtate tooke hold of their diſcoueries or not) brought backe ill newes, a ſhip might bee prepared on the ſudden for the tranſport of this his packe. God dazelled their eyes with ſo darke a miſte of errour and perplexitie, as they could not finde the right way to get out of the woods; and their prophet *Percy* by ſecuring doubts at his returne, inſpired new life into dead hopes, that the proiect for ſpeedy rigging of a ſhip, was careleſly caſt off, and error left to make full ſatisfaction by ſuffering. For God that cauſed the firſt veſſell to be built by *Noah* for the ſauing of thoſe eight faithfull, pure and ſelected ſoules, that ſhould with time renew that world, which ſinne had drowned in the deepes of deſpaire, would not permit that any other of that mould or fabricke, ſhould preſerue theſe eight vnfaithful, vnpure and deteſted ſoules, whoſe ende was to de-

stroy this Nurse of our English Othoe, which hath bene so strongly, so often, and so powerfully protected vnder the wings of his tendernesse.

As *Iehu* killed *Achaz* when he gaue him the stabbe, *Iesabel* proclaimed a fast when shee cutte *Nabothes* throate, and *Iudas* kissed our Sauiour when his end was only to betray him to the Phariſes: So *Percie* the right limbe of *Lucifer*, pretended with a colour of deuotion to kisse the Image of the Blessed virgin, after he had plighted faith and promise to his complices, by blowing vp the bodie of the State, to destroy the King, who is indeede the sacred Image of the eternall Sonne. But GOD whose wholy purpose was to publish to the world, how farre his blessed mother is from countenancing, and protecting traitors, that by opposing to his Deputie reuolt from him, branded this act of hypocrisie, with so palpable a mark for an admonition euerlasting, to well meaning soules, that are often times surprised in their weakenesse, by false seeming shewes of pietie, when the practises are foule, as on that very Feast of the Blessed virgin, (whose picture *Percie* did so embrace,) which shall set forth to the worlds end the memory of *Christes* incarnation, whom the traitors would haue wounded through the side of his Lieutenant in the seate of Maiestie, an Act did passe in Parliament, for the blowing vp of these Monsters and their hopes, that by an Act which neuer had the voice of any member of the Parliament, would haue blowen vp both houses.

To

To your owne drift and purpose Master *Garnet*, in recommending that ancient hymne, vſed on the day of all Saints,

Gentem auferte perfidam
Credentium de finibus,

for a ſpeedie diſpatch of many Innocents, that GOD, which conuerts both the labours and the prayers of the wicked into ſinne, and reflecteth execrations of infidelity, vpon the heads of thoſe that execrate & curſe without iuſt ground, gaue ſatisfaction, though in a contrary element: purging the preſent ſtate, of *Catesby*, *Percie*, and their complices, which may truely bee reckoned, and reputed aboue all men that euer were, *Gens perfidiſſima*, tranſcending all proportions either of precedent or future Immanitie. As for your fetuencie in ſwearing and forſwearing manifeſt vntruthes, and ſuch as you were forced afterwardes to confeſſe with a blushing countenance, in proceſſe as I think from a reuerent regard to ſhadow great faults, which breaking out of *Ghear* in to light, might caſt ſcandale as you thought vpon your whole ſociety. And this I gather moſt euidently, aswell out of your owne ſpeeches, as out of your requeſt, that the cenſure of your, vvealgenesſo might determine perſonally, vvithin the compaſſe of your fault. But vve retire a farther conſideration thereby in diſtinguiſhing betvveene the poore ſeduced people, and of thoſe that ſtraight ought to be *Saluatores* in matter thoſe that pronounce verbally, vvhen they re-

nounce

nounce mentally, and those that in point of facte are not ranged vnto the rules of faith: and the Ciuil lawes haue resolued, both iustly and iudicially, that construction ought euer to bee made against the partie that comes masked to the barre, and speakes ambiguously vpon aduantage, when he should speake plainely for satisfaction.

I dare vndertake, it was certainely conceiued by you *M. Garnet*, and by *M. Hall* your fellow prisoner both in profession and bands, that if by any accident you might conferre but halfe an houre after you had passed the file of their examinations, that had both you and your cause in hand, the lippes of scandale would haue bin sealed and shut vp so close, as nothing might euaporate to embleamish oaths, since the Lords of the Commission forbearing torture, deale so tenderly; and thereupon you found a secret vent of whispering betweene two doores, but with no better proofe by this aduenture then by the rest. For your former resolued ease, being now encouraged and vrged by the spurre of opportunitie, became so confident an running beyond it selfe through the chiefe points, whereof the State was most eager and desirous to take certaine notice or assurance, as they that could not reape, might gleane, and many shifts & subtill trauerses were ouerwrought by this occasion, which could not be extracted out of your breast either by intreaty or industry.

By writing to the *Pope* in a Christian and humble maner for the tempering and cooling of those

humors

humors of ſome giddie headed Catholikes by his Apoſtolike authoritie, leſt they might cauſe diſtemper in the State, caried in appearance a great likelyhood of that obedience and patience which the word of GOD enioynes, and was accordingly diuulged both by you *M. Garnet*, and many others of your ſuite, for the ſatisfaction of their conceits that were ſuſpitious of your plaine faith; But many grewe to feare by the forewarnings which *Watſon* left before his death, that this was but a viſard of inuention to dazell truſt: And moſt grew ſuſpitious of a miſchiefe imminent, though they knew not what it was: The world heard rumors of a feate to bee wrought for the Catholiks in Parliament, though they could not vnderſtande the meane, and Experience hath taught the ground of this ſubmiſsiue letter to the *Pope*, after the beſtowing of all the Barrels among the piles of Wood, to haue onely proceeded out of feare, that ſuch another hot alarme as aroſe in *Wales* about the giddy mutinies of ſome light Catholikes might awake thoſe eyes of *Argos* that were brought into ſo ſweet a ſlumber by the pipe of *Mercurie*, and put all viſes and deuiſes out of frame, that were to worke with leiſure, ſilence, and repoſe in the great helliſh enterpriſe.

Thus GOD entending mercifully the proſperous and happy deſeate of *Achitophels* deuiſe, was content that the firſt contriuers ſhould put it to the higheſt proofe, that vpon diſcouery the practiſe might bee more cleare, the State more ſe-

cure, and the fault more inexcusable. For *homo inimicus* the enuious man sowes his tares so sliely and secretly at the first, as the eye of obseruation cannot reach to the depth of fraude; but like bastard slippes, the highes they grow, the more euidently they discouer the true parents impietie.

Greenewell desiring more the good successe of this Inuention, then the planting of the *Romane* faith, enioyned *Bates* in the secret of confession to reueale the purpose to no Priest, so ielous and suspitious he was (in respect of the mayne) both of weakenesse and error in his owne consort, and you *M. Garnet* no lesse prouident in those things which concerned your owne safetie or reputation, or as it is said by one spitefull alike with you,

Subsedit dubius totam dum colligit iram:

forbade *Greenewell* to giue the least inckling to *Catesby* of your priuitie to the proceeding, though you were made acquainted with the matter in generalitie. And more, when you were assured of a likelyhood of good successe by *Catesbies* own encouragement, (so much wiser are the children of this world that doe rather *sapere quæ sunt carnis*, then *sentire quæ sunt spiritus*, as *Paul* forewarnes, then the children of light, but this is only in their owne generation) you were so carefull out of feare to be surprised with a lie (as the wicked Iudges were by *Daniel* vpon the question *sub quâ arbore* vnder what tree), and that your confessions might be consonant, that the quintessence of wit sublimed to the highest poynt, could not worke

more

more preciſely and more punctually for preuention of diſcouery by orderly digeſtion of all occaſions or directions, then you did by this preparatiue. But againſt the ſtroke of prouidence, all counter-practiſes are vaine: for *dies diei eructat verbum & nox nocti indicat ſcientiam*, as may appeare by that *nubes teſtium*, that cloud of Witneſſes, which turning to a Scottiſh myſte, hath not onely wette both your ſelfe and your fellowes to the skinne, but beſide, made all their ſhamefull parts ſo manifeſt, (euen to vulgar eyes, that were to Acte vpon the bloody Stage,) as the Prieſts themſelues appeaching one another, and falling out to bee *ſuorum flagitiorum proditores*, were as much deceiued in the *Theoricke* of truſt, as the Lay diſciples were in the practike of conſpiracie. For it is no leſſe ſtrange then true, that the powerfull GOD (which by his word aſſureth vs that the birds of heauen ſhall bring thoſe proiects and Inuentions to light that are contriued in the ſecret thought, or priuy cabinet of any wicked and falſe hearted Subiect againſt the King,) hath ſo fitted and prepared inſtruments of ouerture as the myſteries which paſſed in confeſsion, betweene the Prieſts themſelues (reueiled by themſelues) come this day and in this renowmed place to be ſcanned and cenſured.

I will now ſhut vp this audite of demonſtrations by which we deſcry Gods anger (working almoſt miraculouſly in the tranſmutation of ſubſtances and change of properties for accompliſh-

ment of his owne iuſt ends) with the higheſt obiect of your wicked ayme, which was the deſtruction of the moſt iuſt, learned, bountifull, temperate, and tender hearted King, (I may ſpeake it on my conſcience without baſe flattery,) that euer was rancked either in the Engliſh or the Scottiſh regiſter, his right, his heart, his tongue, hath wiſhed happineſſe, and brought ſecuritie to this State, which if you and your confederats diſdaine or wilfully reiect, his owne good wiſhes ſhall returne to himſelfe, and the duſt of thoſe harmeleſſe feet, that neuer were *veloces ad effundendum ſanguinem*, ſwift or haſty to ſhed blood, ſhall raiſe a cloud betweene you and that eternall Iudge in the dreadfull day, to plague your ingratitude. For what is the fault (in the Name of God) that can offend the moſt preciſe and captious conceits (excepting conſcience, for which he muſt neither account to *Bruno* or *Ignatius*, but to God alone) wherein the King may bee ſaid to haue caſt duſt in their eyes, that were moſt violent and diligent in preparing fuell, and making fire for the ſacrificing of a Lambe, whoſe innocent blood like that of *Abel*, would haue cried for vengeance in the eare of God, againſt the curſed crew of all the conſpirators, if their ſucceſſe had bin fortunate.

By the way, I cannot ceaſe to wonder at the prouidence and pietie of this thriſe happy King, this *pacator Orbis*, (the reall attribute of *Cõſtantine*) who ſeeketh to eſtabliſh the Throne of his dominion and power, neither with the three feete of

Apolloes

Apolles ſtoole at *Delphos*, which his owne Interpreters haue vnderſtood of Nimbleneſſe, Obſeruation, and Subtiltie; nor onely with the Lyons and Lyons whelps, that garniſhed the ſix ſteps aſcending to the Chaire of *Salomon*, to ſtirre vp magnanimitie, both in yong and old, but according to the rules and ancient preſcripts of our Engliſh gouernment, vvith the three piles of Conſcience, Honor, & the peoples Loue, & that ſo ſtedfaſtly, as the ſonnes of *Belial* haue neither hope nor poſſibilitie of compaſsing their ovvne deſires, without cutting off theſe three, That is, Biſhops, Peeres, and Commons at one blow, *vt ceſpes vnus & Regem noſtrum, & Rempub. tegeret.* Therefore hold not the perill ſtrange wherein you ſtand at this preſent, of another kinde of Triplicitie ſpecified by *Salomon*, for proportionable puniſhment of your barbarous affection in vvorking (by the quinteſſence of inhumanitie,) the ruine both of Prince and State, for *Funiculus triplex non facile rumpitur.* For to men of vncertaine witts and aymes, it happens often in experience, That by the leaſt ſvvarving either of the eye of Iudgment, or of the hand of vſe, in ſtead of the white of ambition, they hit point blancke the marke of Execution; Therefore no man ſhalbe able to auovv either in the preſent or the future time, that they which ſit as Iudges in this caſe of execrable Treaſon, waſh their handes with *Pilate* in hypocriſie, when you and your confederats that ſtand forth to be tried, cannot waſh your ovvne hands with

the Prophet *Dauid, inter Innocentes*, among those that are innocent.

Princes vse not to taste offers without assayes; We cannot admit your obstinacy in refusing to pledge the health of this whole Estate, And no man knowes better (*M. Garnet*) then your selfe, by what Writ true men are warranted *in poculo quod nobis miscuistis, miscere vobis duplum*, to giue you double measure of the draught which you had prepared for the States destruction: When your purpose was (if courses had suited to your wish) that it should begin from them. By this it appeares, That *virtutis cursus* (if that were in you which the world did imagine) was *celerior quàm ætatis*, that your life hath ouerrunne your loyalty.

It is hard for a man so many wayes engaged to a Prince, and for so many fauours as my selfe, to cut euenly betweene affection and trueth, or to prouide so tenderly by preoccupation, as no Spider may sucke poyson out of a Rose; but *iacta est alea*, and therefore since it is neither my delight to sowe soft pillowes vnder Princes elbowes, nor the Kings desire that his trustie seruants and true Counsellors should with the glosing prophets in the dayes of *Michæ* vtter *placentia potius quam solida*, I would onely craue that libertie which is afforded in case of priuate persons to affections that are most indifferent, which is to present his picture to the eye of obseruation in true colours and proportions, without swaruing too farre on either hand, (because he must euer be *iniquus dignitatis*

nitatis Iudex, qui aut inuidet aut nimium fauet) and to wipe away the wrong which hath bin done to him, (and hereafter may by falſe aſperſions, from the penſils of preiudicate conceit:) awake my ſpirits in diſcharge of duetie, beſide obligations of grace, to raiſe my compaſſe thus high at the leaſt, and to lend my ſtrongeſt armes and beſt endeuors to the iuſt defence of a moſt iuſt & worthy King, furiouſly and vniuſtly ſet vpon. What ſpirit moued you and yours *(M. Garnet)* to diſſolue the quiet of a State, that neuer conceiued you in her wombe, with a purpoſe that (like the broode of Vipers) you ſhould make your iſſue into life by eating out the bowels of the Damme that gaue you both creation and nouriſhment? for it could not be, but the common wealth *in ipſa vindicta libertatis* as yours termed it, *eſſet peritura*, when *Catesby* and his deſperate rout meant not *Subigere noſtram vrbem* as the *Athenian* Orator ſaith of *Philip*, *Sed funditus euertere*, well knowing that thoſe that eſcaped, to be ſlaues, *neque voluerunt eſſe, neque potuerunt*. What ayled you to Mine into the ſtrongeſt Fort of your deare Countrey men, who liuing by the temper of the Kings affections vnder *Libra*, that is as much as vnder the golden line of Iuſtice, Moderation, and Grace, can hardly iudge out of their owne affection, whether the nights or the dayes paſſe ouer their heads more happily. For neither is it poſsible at this day for *Virgo* that barren ſigne to endanger vs by orbitie or age, nor for *Taurus* the Bull to goare our ſides

vvith

with anticipation, nor for *Scorpio* to ſting vs in the heart, nor for *Sagittarius* to wound vs in the reines, nor *Aries* the *Romane* engine to butte with his offenſiue head at the walles of our high Court of Parliament: *Tempeſtas abijt, & ecce noua facta ſunt omnia.*

At his Maieſties firſt entrance he found vs embroyled and greatly weakened by the deepely feſtered long running vlcer of a laſting warre: what was the cure? A beame of wiſedome ſeaſonably deriued from the practiſe and experience of the wiſeſt King that euer was, to conclude a Peace *cum omnibus Nationibus in circuitu*, that euery faithfull Subiect might enioy the ſhade of his owne Figtree, and the fruit of his owne Vine from *Dan* to *Beerſheba*. I doe eaſily beleeue *M. Garnet*, that this courſe was nothing agreeable to your affections and endes, that ſought a greater gaine by fiſhing in ſtreames that were more troubled: and ſitting on a bare bough like the Rauen when the Lion and the Leopard came forth to fight, began brauely to ſound a poynt of warre, in hope that whether of both thoſe had the worſt, one ſhould ſerue for a pray for him to feede vpon. And with the wicked crew in *Lucan* your prayer was,

Non pacem petimus Superi date gentibus iras,

but were of another minde and hope to make you pine a good while longer at the calmes of our repoſe, before you put vs into theſe diſtempers, that haue made your owne beſt friends, and faireſt fortunes abſolutely deſperate, to whom ſo

farre as in modeſtie you could aske, I may ſay with *Paterculus*, *quod tumultuando adipiſci petijſtis, quiete obtuliſſet Reſpublica.* Peace is the marke whereat the holy Ghoſt would haue all religious affections to ayme: It is the Raſor that cuts the throat of crying ſinnes: It is the good Angel that driues horror out of the conſcience of euery Chriſtian, when death threatens to arreſt: It is the chiefeſt badge by which our Sauiour would haue his true Diſciples knowen from hypocrites: And it is both the richeſt and the laſt Iewell which departing hence to his Father, he left to his ſpouſe the Church for a legacie. And therfore our prayer by oppoſition to your exorciſme muſt be thus,

Nulla ſalus bello, pacem te poſcimus omnes.

But how long is it, I pray you, *M Garnet*, ſince the heart of euery faithfull Subiect in this Kingdome was ready to breake with a fearefull contemplation of thoſe rockes, vpon which the veſſels of all fortunes both publique and particular were likely to haue runne, at what time ſoeuer *Debora* was to walke the wayes of all fleſh, and to bee layd vp to reſt in the graue of her Anceſtors, for want of a certainely deſigned Succeſſor, vpon whom *Iſrael* might onely fixe their eyes, both for ſatiſfaction in conſcience, and infallible direction to Loyaltie? In thoſe dayes the State was charged by all your pennes and Pamphlets with an vnciuill, or rather an vnchriſtian facilitie in flattering the preſent time, with perill to the time to come, in preferring humors perſonall, before

reall plagues, and in ſetling the whole weight of this State vpon the ſtaffe of Age, with no leſſe confidence then if it had bene a pole of eternitie. You could then inſinuate for the kindling of vnduetifull affections at home, how deepely both the Queene ſhould be charged in another day for ſetting the Kingdoms reſt vpon the weake cards of her owne particular reſpects; and others for enclining ſo much out of awe to the predominance of time; as without the worke of GODS powerfull hand, their feare might haue bin the cauſe of the States ouerthrow. Nothing was then more rife in the mouthes of many *Catholikes*, then the wrong that was done to the true and lawfull iſſue of that worthy Queene, who (in ſtead of digging vp a turfe according to the manner,) made her graue an entrie in her ſonnes behalfe to the Title of theſe Crownes, as if ſhee ſhould haue ſaid with the Conquerour when he tooke a fall at his firſt landing, *Terram capio:* by laying downe her life, ſhe tooke a formall liuery and ſeaſon for her ſonne, Her life I ſay, more precious then either my minde is able to apprehend, or my pen to deliuer.

Giue mee leaue therefore to enquire of you in the phraſe of *Paul*, and rather with true zeale, then detracting ſpleene, *O inſenſati Galatæ, quis vos fuſcinauit non obedire veritati?* O you ſenceleſſe *Galathians*, who hath (ſince that) ſtirred vp your paſſions againſt obedience to Trueth, and mooued you in this maner to abhorre the moſt cordial receipts

ceipts for cure of inueterate infirmities, as if they were compounded of *Coliquintida*, which in hatred of time past you onely sought, as your onely restoratiues? For though euery man that had in his head either halfe a dramme of discretion, or the least scruple of common sence, knew very well what should become of those which in the day of demonstration durst protest with *Seba* the sonne of *Belial* by sound of trumpet, *nullam sibi esse partem in Dauid, neque hereditatem in filio Ieſſe:* that since they had neither part in *Dauid*, nor inheritance in the sonne of *Ieſſe*, it were free to *Israel* to returne to their pauillions: Yet I must confesse that the wiser sort *in omnem euentum* (to make the foundation more sure) would haue purchased the publicke satisfaction in this degree at an excessiue rate, which was suppressed by the strength of Law, and ouercast with a cloude of suspition. We are not ignorant in those dayes *M. Garnet*, how many did expect with *Esau*, *diem luctus* for opportunitie of reuenge. Wee knewe both in what maner, and by what meanes some heauie bodies, and more heauie spirits were in hope to raise themselues like Busterds in fallow fieldes *vi turbinis* by the strength of a whirlewinde, to that height which ambition (voyde of due consideration) did foolishly affect.

It is euident that *Ismael* would haue bene *Isahaks* play-fellovv, and euery day more arguments were brought to light of a strong desire in many minds, That *Eteocles* and *Polynices* might make

partition of their inheritance *acuto ferro*, with a sharpe cutting sword: But as *Paterculus* reports of the securitie of the *Romane* Empire, otherwise then was expected, after the death of *Augustus*, we felt not so much as a quiuering of that Common wealth, of whose ruine we stood in so great feare, *tanta fuit vnius viri Maiestas, vt nec bonis, neque contra malos opus armis foret*; For so great was the Maiestie of one man, that not so much as those that were dutifull, needed vveapons against those that vvere traiterous: for whatsoeuer he protected vvas safe, and vvhatsoeuer he reiected did onely perish.

And thankes be giuen to God, we are now so safe and throughly secured from forren grones and pining feares by these sweete Oliue buds which enuironed the Mercie-seat, as *Dolman* may in deed *dolere*, that by no kinde of instrument he can *dolare*, that is, boare or wimble into this glorious and gracefull stocke, wherein he would inoculate the greitres of his stinging grieuances.

Againe it cannot be denied, That the state of this strong Iland, if it be considered by integritie and vnion of parts, was in a maner paraliticall (so long as *Scotland* was diuided from this Realme of *England* as it were in halfe) by priuation aswell of motion, as of sense; And by reason of obstructions in diuided heads (that stop the free course and passage of the spirits through all and euery part and member of the maine from preseruation of health and strength,) it was like to fall by the least

distem-

diſtemper *ſymptomaticall* into a dead apoplexie. It was a worke of mercy in our Saviour to cure *manum aridam*, I meane *aridam* in reſpect of the ſmall vſe to vs, though actiue, ſtrong, and powerfull for it ſelfe. It was an acte of policie in *Ceſar* to ſhut vp the backe doore that let in the *Germanes* to the diſturbance and diſquiet of thoſe parts in *Gawle*. And great wiſdome it was once in *Seuerus*, to part thoſe frō vs with a wal of Hoſtility, whom ſince a more diuine hand hath happily faſtened to vs in eternall fraternitie: For the holy Ghoſt accounteth it a curſe to ſtand alone, becauſe he cannot be ſure of his next neighbour to take him vp; The branch beares fruit no longer then it continues in the naturall and proper Vine, fed with the ſame ſap, ſtrengthened from the ſame roote, cut and pruined by the ſame Vinetor: thus *England* and *Scotland* are the twinnes of *Hipocrates*, that muſt euer laugh and weepe together: they are the *Caſtor* and *Pollux* that muſt euer riſe and ſet together: they are the two handes of one body naturall and politicke, that ought both to waſh one anothers ſpots, and ſupply weakeneſſes: To conclude, they are that *cor* & *cerebrum*, that heart and braine ſo faſtened and knit together in harmony and correſpondencies, that without a perfect vnion of both, it is not poſsible for the Ile of *Britaine* to moue with power, to feele with tenderneſſe, or to breath in ſecuritie.

Our anceſtors deſired to haue ſeene this happy day, (I wil not ſay as *Abraham* deſired the dayes of

CHRIST, leaſt the compariſon might perhaps ſeeme ouer bold, but yet as they that liue vnder the Pole deſire to ſee the Sunne which is familiar) as may appeare by Treaties betweene Princes in the times of ſome of our wiſeſt Kings, as the third and ſeuenth *Henries*; And againe by the continuance of that earneſt inſtance of the eight, for a match betweene the yong Queene *Mary*, and prince *Edward* his eldeſt ſonne vpon eaſie conditions. The lets in former times proceeded in part from the practiſe of forraine Potentates, enuying the greatneſſe of vnited Crownes; and in part from the flawes of domeſtick factions within the bodies of both kingdomes, neglecting the benefit of opportunitie thus offered vpon the light impreſsions of priuate feares. God himſelfe beſtowed this vnion betweene the Realmes of *Iſrael* and *Iuda* (ſeuered much after the ſame meaſure and proportion that ours haue bene ſo long) as the ſtrongeſt pledge of fauour, and the richeſt bleſsing of eternall bounty that his louing kindeneſſe could conferre vpon both States, *vt eſſet Rex vnus omnibus imperans, vt non eſſent vltra duæ gentes, nec diuiderentur amplius in duo regna*: that there might be but one king to raigne indifferently ouer all, that they might no longer be reputed two nations; and with a further condition, That from that time forward, they ſhould be no more diuided into two Monarchies.

Many motiues of encouragement haue bene propounded, many ſatisfactions to iealouſie haue bene

bene tendered, many inſtruments of excellent aduantage haue bene ſet on worke in former times, but to ſmall effect, ſo long as wiſdome rather debated, then right determined; And beſides, for that *nondum tempus a ſomno ſurgere*: but our age is that *plenitudo temporis*, that full period of time wherein ſo many working cauſes and enducements draw to one concluſion of equality in happineſſe in both Eſtates, as vnleſſe we will embaſe what our Anceſtors with leſſe aduantage did improue, diſable what they did admire, reiect what they did recommend, and in ſort repell the grace of God, which knocketh at our doore, wee muſt acknowledge *Non feciſſe Deum taliter omni nationi*, That God hath not dealt thus with euery Nation. For our *Rex pacifieus*, our *Delitiæ Britanniæ gentis*, our *Leo Rubeus*, (which according to *Merlines* prediction, was to hold in one paw the Battlements of new *Troy*, in an other *Syluam Caledoniam*, which can leuell in common ſenſe at no other Prince that welded the Scepter of this State before) hath by Gods bleſſed prouidence aſwel vnited the parts of *England*, *Scotland* & *Ireland* in one body of dominion, as the lines of *Edgar*, *Fergus* the Conqueror, *Mac Morragh*, and *Cadwalader* in one Center of coniunction, and thereby compounded out of many waters, that *Margaritam pretioſam*, for the compaſsing whereof rather then it ſhould eſcape our hands, we ought to purchaſe it at as high a rate, as the wiſe Merchant did that other in *S. Luke*, *qui inuenta vna pretioſa Margarita*

abijt

abijt & vendidit omnia quæ habuit vt emeret eam: hauing found one precious pearle among the reſt, went & ſold all that he poſſeſſed in the world beſide, to purchaſe it.

I reſemble the rare obiect of the King our Maſters ayme, (in ſeeking to vnite and knit together all his ſubiects affections, ſcopes and endeuours, *Nodo indiſſolubili*, to this end chiefely that it may not reſt hereafter in the power of fleſh to ſeauer what hath been conioyned by the hand of grace) rather *Margaretæ* then to any other Iewel of great price, becauſe her name was *Margaret*, by whom his Maieſtie deriues his lineall deſcent by iuſt title of the *Saxon* Kings. Her name was *Margaret*, that being eldeſt daughter to king *Henrie* the ſeuenth, inueſted in the blood of our deere Soueraigne king IAMES, the moſt abſolutely and radically vnited intereſt of the two renowmed families of *Yorke* and *Lancaſter*: wherein we are to note *Ex abundante*, that at the point prefixed of one hundred yeeres, in which this worthie Princeſſe was conueied by a luckie match for this renowmed Iſland, to her husband *Iames* the fourth, her roiall offſpring *Iames* the ſixt our matchles Soueraigne, made his happy entrãce into the poſſeſsion of all theſe Crownes with a cheerefull *Iubile*. I would be glad for my priuate comfort, & ingrateful duetie to the gratious bountie of this bleſſed line (if it be lawfull to intermingle *corpus opacum* with ſo many glorious aſpects,) in a light touch to record and view the reuolutions & fortunes of my owne family.

family. For as the Duke of *Norfolke* was a forward minister in attending this great Princesse (by the wise kings direction) to the full accomplishing of the nuptial solemnity, So his heire in the third degree, by misconstruction of humble thoughts, and wittie vvorkmanship vpon weake suspition, vvas dravven into the losse both of life and state, for gasing too much vpon the gleames of this rising glory. And our royall Soueraigne (the true and lavvfull heire of that peereless *Margaret*, on vvhom the seruice did attend) reserued by destinie to restore the honor of that fading house, vvhich vvas ouercast vvith a cloud of scorne, and as it vvere to lay nevv earth to the root of that sapless tree whose leaues vvere fallen, and the fairest branches withered. Of my selfe on whom it hath pleased my most gratious Master and deere Soueraigne, to cast more fauour then either *Sub spe* I could merite, or *In re* I can vtter, this onely shalbe said in acknowledgement of fauor and admiration of grace,

Vltimus hic ego sum qui quam benè, quam malè, nolo
Dicere, qui de me iudicet alter erit.

The name of the late olde Countesse of *Lenox* was also *Margaret*, by whom as daughter to the Queene of *Scotland*, by an Earle of *Angus* in a second match, the yonger branch of that Princely line was throughly incorporate into the person of the King on his fathers side for a stronger Vnion, if it were possible, both of blond and interest, and for a double ornament to his Royall proge-

nie. She was no *Margaret* I confesse, but a worthy *Marie* that in the last descent couered *fermentum acceptũ* the leauen which she had receiued by descent into three Kingdomes, as the discreete woman in the Gospel did her owne, into three lumpes of dough, till by her blessed Issue, founder of our perpetuall quiet, they might bee all throughly and completely leauened.

Now to draw to the conclusion, which is the knot of these vnited endes, this is that worthy Soueraigne, to whom

De nostris annis sibi Iupiter augeat annos.

That you and your disciples *M. Garnet* in reward of so great merite of this Iland, were so hastie to blow vp by your Powder-plots into a higher region, then that wherein his Throne was by GOD established, together with those very Walles, which as I finde by ancient Record, were first by the holy Confessor *S. Edward* raysed, of whose Familie his Maiestie descendes, that one King might bee buried, and the chiefe of his race destroyed within the compasse of one Monument. But howsoeuer *M. Garnet* was willing to forget that this place was once sanctified for a refuge and retrait to all sortes of persons in distresse by his owne Canons: yet GOD that would not destroy *Iuda* for his seruant *Dauids* sake, his Prouidence in like sort purposing to continue the pietie of that blessed King in this fairest branch of his descent; the Iustice of that Diuine Maiestie holding it an acte of *Atheisme* to cast *tot Margari-*

tas

tas porcis, ſo many Pearles to ſwine, or *Sanctum canibus*, that which is holy to dogs, bounded the malice of theſe graceleſſe Impes within ſo narrow ſtraights, as it reſted not in their power by the murther of our King to ſtaine the Confeſſors walles with his owne blood, or vnder the viſard of *S. Edwardes* profeſsion, to extirpe the rootes of *S Edwards* poſteritie. For in the Prouerbes wee are certainely aſſured, that *Domus iuſtorum permanebit*, the houſe or generation of the iuſt ſhal continue: But it falles out in a better conſequence, That the skull of faithleſſe *Piercie* ſhould ſtand Sentinel where he was once captaine Pioner; and *Lambeth* ſhould now be *Catesbyes Horizon*, that was his *Arſenall*: And their giddie pates are left *Tanquam malus nauis* like the Maſt of a ſhip, to vſe the Prophets phraſe, to warne paſſengers by what iuſt diſaſter theſe rouing Pyrates came to their vnhappy end: eſpecially for ſeeking the golden Fleece, not by *Iaſons* merit, but by *Medaas* ſorcery.

To conclude, we may learne of the Wiſe man, That there can be neither wiſdome, nor counſell againſt God. The ribbes of a crazed veſſell are too weake to bruſe the Rocke which they ruſh vpon. Wee ſpurre Aſſes to no purpoſe, when Gods Angel is *ad oppoſitum*. *Iacob* hauing ſhrunke a ſineWe, halted all the dayes of his life, after he wreſtled ſo long and to ſo litle purpoſe with God omnipotent. Men are ſure to gaine no more then their owne ſmart, that kicke againſt the thorne: In ſuch attempts it is neither in him that

wills, nor in him that runnes, but in GOD that ſhewes mercy to thoſe that direct themſelues according to diſcipline: for *Sortes mittuntur in Sinum*, The lotts are caſt into the lap, but it is God that diſpoſeth the Lottery. Though your purpoſe were all one with *Achab* and *Iezabell*, in ſeeking to cut the throat of *Naboth* for his ground: Though you gaue out your Himne before this holy acte as they proclaimed a religious faſt: Though you made your ſelues ſicke (as *Achab* did) with anguiſh and vexation, becauſe you could not haue your wills, Yet ſince you could neither *Occidere*, nor *Poſſidere*, your lucke was worſe then theirs; For by Gods powerfull and preuenting grace, you were thruſt aſwell from all the meanes and aduantages of killing whom you hated, as of poſſeſsing what you coueted. It were good therefore (that vpon ſo many plaine experiments) you would confeſſe with certaine wanderers in the Booke of *Wiſdome*, *Laſſatos eſſe vos*, that you are wearied and ouer-laboured in theſe crooked wayes, and haue bene euer ſince you leaped out of *Via Regia*, the Kings high way, which neither leads to diſhonour, nor ends in miſery. Nothing is more proper *Materiæ*, to matter, then to flow (ſay the *Philoſophers*) *niſi à forma ſiſtitur*, vnleſſe it be ſtayed and fixed by the forme: not any thing more proper to humanitie, (according to the rule of Trueth,) then to erre, if grace direct it not. *Mahomet* confeſſeth in his *Alchoron*, That the Throne of CHRIST was raiſed by patience,

patience, his, by reuenge; That, by Miracles, his, by Tyrannie. The modestie and pietie of *Christians* afflicted for the point of Conſcience in the time of *Tertullian*, appeares by the reaſon which he giues of their abſtinence *à ſuffocato & Sanguine*, that is, *ne quo Sanguine contaminarentur, vel intra viſcera ſepulto*, that they might admit no pollution by blood, though it were buried within their bowels.

Pardon me (*M. Garnet*) though I doubt whether in the point of conſcience alone, you would voluntarily & reſolutely abide the ſaw of *Eſay*, the bolts of *Ieremy*, the gibbet of *Peter*, the ſword of *Iames*, or the ſtoning of *S. Stephen*, much leſſe make a gathering among thoſe of your profeſsion, toward the preparing of an humble ſacrifice for the life of *Nabuchadnezer* (as you eſteeme the King) that with the rage of a Tyger ſought his life, and waxed thus impatient of that ſoft and eaſie hand, which it pleaſed him in his gratious compaſsion and tenderneſſe, before the late intended Tragedie, to hold ouer you: So that with *Seneca* you might iuſtly ſay, *Nihil ſeliciter animo accidit, niſi moderatio eius.* Thoſe golden comforts of the Prophets to contrite offenders, ought at this time to bee of greater eſtimation and value in your thoughts, then all the treaſures of the *Vatican*. You cannot ſteere the ſhip of your crazed conſcience more ſafely in this ſharpe ſtorme (which hath bene raiſed by your ſelues) then by the counſell of *Lactantius*, who doeth warrant, That, to minds truely

truely penitent, *Optimus portus est mutatio consilij*, Change of Resolution is the best hauen, and safest harbour. After an humble acknowledgement of a grieuous sinne *in fratres vestros*, against your brethren, with the sonnes of *Iacob*, and withall, that for this cause chiefly Tribulation hath taken hold of your highest top: First, yeeld vnfained thankes to Almighty God for preuenting this distructiue proiect, that would haue cast so great a waight of Iudgement vpon your soule, and for turning your ill purpose to his honour; Then thanke your mercifull and tender hearted King, who seekes not to surprize you suddenly, as *Leui* did *Sichem*, *Quando dolor vulnerum erat grauissimus*: as you would haue dealt with him; and to assault you in the greatest horror and the sharpest torture of your crying sinne; but by imitation of that eternall Obiect whose person hee presents, whose example he regards, agreeably to that Record in the booke of *Wisdome*, *Dat tempus & locum per qua potestis mutari à malitia*, giues time and place by which you may bee changed from your malice; Craue pardon of the world, for leauing such a president to future times, of a possibilitie to atchiue so desperat an act, which may perchance according to the dispositions and humors of men diuersly affected, aswell *Admonere* as *Prohibere*, That is, put the world in minde that such a matter may be, As forbid that it be not.

Remember the difference which *Theodoret* doeth discreetly put betweene suffering, and the

cauſe of ſuffering, betweene torture to force conſcience, and Legal punishments to chaſtiſe faults; To conclude my laſt caution with your laſt occaſion,

Diſcite Iuſtitiam moniti, & non temnere Diuos:

Becauſe, *Hæc vos ſapere vel mori iubent*; And withall (as *Martiall* did for *Traian*,) Wiſh to the beſt of Maieſtie, to whom you meant the worſt of malice,

Dij tibi dent quicquid Princeps Auguſte mereris,
Et rata perpetuo, quæ tribuere velint.

H. Northampton.

(*Reader*) *to preuent miſtaking, I wil yeeld a ſhort reaſon of the length of this worthy & learned Earle Speech, exceeding the proportion wherin it was firſt vttered. The ſubiect being of ſo great importance, and the Copy brought me ſo imperfect, I repaired to that graue and noble Lord, with an humble, yet importune requeſt, that ſince it was expedient to ſet out the whole courſe of the proceedings, and the ſame to paſſe the file of ſo many, & ſo diuers iudgemnts, it might pleaſe his Lordſhip to ouerrunne that maimed Copy, as others had done theirs, that were wronged in the ſame meaſure.*

His Honour finding the reuiew of that fragment (ſo farre ſhort not onely of that which ſhould haue bene, but of that alſo which was at the arraignment deliuered) to be a work of greater labour then the tranſcript, offered two Copies to my hand, the one ſecundùm literam, *as neere as his Lordſhip could call to minde, the other amplified and enriched vpon the ſame grounds, but with greater variety of Arguments, eſpecially that Canon* Nos Sanctorum, *had bene the chiefeſt baſe and falſe*

falſe foundation of this and many other precedent conſpiracies. The choiſe thus left me out of his courteous Honour, and finding with what egerneſſe it was deſired by the Auditors after the deliuery, I preſumed good Reader that beſides thy ſatisfaction and delight (holding the ſame eſſentiall parts) it would better fit the motiue in folio, then in decimo ſexto, in the fruit then in the bloſſom, and the larger the better.

L. chiefe I. Then the Lord Chiefe Iuſtice making a pithy preamble of all the apparant proofes and preſumptions of his guiltineſſe, gaue Iudgement, that he ſhould be drawne hanged and quartered.

Erle of Sal. And my L. of Salisbury demanded, if Garnet would ſay any thing elſe?

Garnet. *Garnet anſwered, no my Lord, But I humbly deſire your Lordſhips all, to commend my life to the Kings Maieſtie, ſaying, That at his pleaſure bee was ready either to die or liue, and doe him ſeruice.*

And ſo the Court aroſe.

¶ A true

A true Relation of all such things as passed at the Execution of *M Garnet*, the third of May. Anno 1606.

ON the third day of May, *Garnet* according to his Iudgement, was executed vpon a Scaffold set vp for that purpose at the West end of *Paules* Church. At his arise vp the Scaffold, he stood much amazed (feare, and guiltinesse appearing in his face.) The Deanes of *Paules* and *Winchester* being present, very grauely and Christianly exhorted him to a true and liuely faith to God-ward, a free and plaine acknowledgement to the world of his offence, and if any further Treason lay in his knowledge, to vnburthen his conscience, and shew a sorrow and detestation of it: But *Garnet* impatient of persuasions, and ill pleased to be exhorted by them, desired them not to trouble him: hee came prepared, and was resolued. Then the Recorder of London (who was by his Ma-

ſtie appointed to be there,) asked *Garnet* if he had any thing to ſay vnto the people before he died; It was no time to diſſemble, and now his Treaſons were too manifeſt to bee diſſembled: therefore if he would, the world ſhould witneſſe, what at laſt he cenſured of himſelfe, and of his fact; It ſhould be free to him to ſpeake what he liſted. But *Garnet* vnwilling to take the offer, ſaid, His voyce was low, his ſtrength gone, the people could not heare him, though he ſpake to them; But to thoſe about him on the Scaffold, he ſaid, The intention was wicked, and the fact would haue bene cruell, and from his ſoule he ſhould haue abhorred it, had it effected. But he ſaid, he onely had a generall knowledge of it by *Mr Catesby*, which in that he diſcloſed not, nor vſed meanes to preuent it, Herein he had offended; What he knew in particulars was in Confeſsion, as hee ſaid. But the Recorder wiſhed him to be remembred, That the kings Maieſtie had vnder his hand-writing, three ſeuere points amongſt others.

1. That *Greenway* told him of this, not as a fault, but as a thing which he had intelligence of, and told it him by way of conſultation.

2. That

2. That *Catesby* and *Greenway* came together to him to bee resolued.

3. That *M. Tesmond* and he had conference of the particulars of the Powder-Treason in *Essex* long after.

4. *Greenway* had asked him who should be the Protectour? but *Garnet* said, That was to be referred till the blow was past.

These proue your priuitie besides Confession, and these are extant vnder your hand. *Garnet* answered, whatsoeuer was vnder his hand was true. And for that he disclosed not to his Maiestie the things he knew, He confessed himselfe iustly condemned; and for this did aske forgiuenesse of his Maiestie. Hereupon the Recorder led him to the Scaffold to make his Confession publique.

Then *Garnet* said, Good countreymen, I am come hither this blessed day of *The inuention of the holy Crosse*, to end all my crosses in this life; The cause of my suffering is not vnknowen to you; I confesse I haue offended the King, and am sory for it, so farre as I was guiltie; Which was in concealing it, and for that I aske pardon of his Maiestie; The treason intended against the King and State was

bloody, My ſelfe ſhould haue deteſted it, had it taken effect. And I am heartily ſorry, that any Catholickes euer had ſo cruell a deſigne. Then turning himſelfe from the people to them about him, He made an Apologie for Miſtreſſe *Anne Vaux*, ſaying, There is ſuch an honourable Gentlewoman who hath bene much wronged in report: For it is ſuſpected and ſaid, that I ſhould be married to her, or worſe. But I proteſt the contrary; She is a vertuous Gentlewoman, and for me a perfect pure virgin. For the Popes Breues, ſir *Edmond Baynams* going ouer Seas, and the matter of the Powder-treaſon, he referred himſelfe to his Arraignment, and his Confeſsions, For whatſoeuer is vnder my hand in any of my Confeſsions, ſaid he, is true.

Then addreſsing himſelfe to execution, he kneeled at the Ladder foote, and asked if he might haue time to pray, and how long. It was anſwered, he ſhould limit himſelfe: none ſhould interrupt him. It appeared he could not conſtantly or deuoutly pray; feare of death, or hope of Pardon euen then ſo diſtracted him: For oft in thoſe prayers he would breake off, turne and looke about him, and

anſwere

anſwere to what he ouer-heard, while he ſeemed to be praying. When he ſtood vp, the Recorder finding in his behauiour as it were an expectation of a Pardon, wiſhed him not to deceiue himſelfe, nor beguile his owne ſoule, he was come to die, and muſt die; requiring him not to Equiuocate with his laſt breath, if he knew any thing that might bee danger to the King or State, he ſhould now vtter it. *Garnet* ſayd, It is no time now to Equiuocate: how it was lawfull, and when, he had ſhewed his minde elſewhere. But ſayth hee, I doe not now Equiuocate, and more then I haue confeſſed, I doe not know. At his aſcending vp the Ladder, hee deſired to haue warning before he was turned off. But it was tolde him, he muſt looke for no other turne but death. Being vpon the Gibbet, he vſed theſe words. I commend me to all good Catholickes, and I pray God preſerue his Maieſtie, the Queene, and all their poſteritie, and my Lords of the Priuie Counſell, to whom I remember my humble duetie, and I am ſorie that I did diſſemble with them: but I did not thinke they had had ſuch proofe againſt me, till it was ſhewed mee; But when that was

proued, I held it more honour for me at that time to confesse, then before, to haue accused. And for my brother *Greenway*, I would the trueth were knowen: for the false reports that are, make him more faulty then he is. I should not haue charged him, but that I thought he had bin safe. I pray God the Catholicks may not fare the worse for my sake, and I exhort them all to take heede they enter not into any Treasons, Rebellions, or Insurrections against the King: and with this, ended speaking, and fel to praying; And crossing himselfe, said, *In nomine Patris & Filij & Spiritus sancti*, and prayed *Maria mater gratiæ, Maria mater misericordiæ, Tu me à malo protege, & hora mortis suscipe.* Then, *In manus tuas Domine, commendo spiritum meum*; Then, *Per crucis hoc signum*, (crossing himselfe) *fugiat procul omne malignum. Infige Crucem tuam in corde meo Domine.* Let me alwayes remember the Crosse, and so returned againe to *Maria mater gratiæ*, and then was turned off, and hung till he was dead.